

GA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI

Timothy Nelson EVANS

Plaintiff

v.

Angela BROWN ET, AL.  
PRIVATE CONTRACTOR

Defendant

FILED

JUL 24 2017  
DAVID CREWS, CLERK  
BY Deputy

CASE No.

4:17CV106-DMB-RP

CLERK HAS TO DO'S

PRISONER'S COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT

1. The Plaintiff's full legal name, the name under which the Plaintiff was sentenced, the Plaintiff's inmate identification number, the Plaintiff's mailing address, and the Plaintiff's place of confinement are as follows:

A. Legal name:

Timothy Nelson EVANS

B. Name under which sentenced:

SAME

C. Inmate identification number:

100345

D. Plaintiff's mailing address (street or post office box number, city, state, ZIP):

295-A-16

PARCHMAN, MS. 38738

E. Place of confinement:

MSP

2. Plaintiff names the following person(s) as the Defendant(s) in this civil action:

Name:

① MR. ANGELA BROWN  
CNP.

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or post office box number, city, state, ZIP)

42 Bldg. Hospital

PARCHMAN, MS. 38738

PRIVATE CONTRACTOR

ND MISS. FORM P3, COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT (4/00)

PAGE 2

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or post office box number, city, state, ZIP)

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or post office box number, city, state, ZIP)

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or post office box number, city, state, ZIP)

(If additional Defendants are named, provide on separate sheets of paper the complete name, title, and address information for each. Clearly label each additional sheet as being a continuation of Question 2).

3. Have you commenced other lawsuits in any other court; state or federal, dealing with or pertaining to the same facts that you allege in this lawsuit or otherwise relating to your imprisonment? ☒ Yes ☐ No
4. If you checked "Yes" in Question 3, describe each lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuit(s) on separate sheets of paper; clearly label each additional sheet as being a continuation of Question 4.

## A. Parties to the lawsuit:

Plaintiff(s):

Defendant(s):

B. Court:

C. Docket No.:

D. Judge's Name:

E. Date suit filed:

F. Date decided:

G. Result (affirmed, reversed, etc.):

5. Is there a prisoner grievance procedure or system in the place of your confinement? ☒ Yes ☐ No
6. If "Yes," did you present to the grievance system the same facts and issues you allege in this complaint? (See question 9, below). ☒ Yes ☐ No
7. If you checked "Yes" in Question 6, answer the following questions:

name: Willie Knighton  
(5) Title: Medical Director  
Bldg. 42 Hospital  
Address: Parchman, Ms. 38738

PERSONAL & PROFESSIONAL  
CAPACITY  
PRIVATE CONTRACTOR

(6) A. Davis  
LPN - pharmacy, Med. Pass  
Bldg. 42 Hosp  
Parchman, Ms. 38738

PERSONAL & PROFESSIONAL  
CAPACITY  
PRIVATE CONTRACTOR

(7) Name: Vickie Thomas  
Title: Nurse Supervisor  
Bldg. 42 Hospital  
Parchman, Ms. 38738

PERSONAL & PROFESSIONAL  
CAPACITY  
CENTURION OF Mississippi

(8) CENTURION OF Mississippi  
Medical Contractor  
Bldg. 42 Hospital  
Parchman, Ms. 38738

PROFESSIONAL Medical  
CONTRACTOR  
PRIVATE CONTRACTOR

(9) ~~XXXXXXXXXX~~ - Taylor  
LPN. Med. Pass  
42 Bldg Hospital  
Parchman, Ms. 38738

PROFESSIONAL capacity  
& PERSONAL capacity  
PRIVATE CONTRACTOR

(10) CLIFF JOHNSON  
ATTORNEY  
McArthur Justice Center  
Jackson, Ms. 39225

PERSONAL & PROFESSIONAL capacity

(11) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A. Does the grievance system place a limit on the time within which a grievance must be presented?



Yes



No

B. If you answered "Yes," did you file or present your grievance within the time limit allowed?



Yes



No

C. The court must find that you exhausted the prison's grievance system and administrative remedies before it can consider this Complaint. State everything you did to present your grievance(s). Be specific. Include the date(s) on which you filed or presented your grievances to prison officers; identify the officer(s). State your claim(s) exactly.

\* MSP-15-~~0000~~ 751: 1st Step 07-1-15: 2nd Step 9-1-15 NP. A. BROWN, DR. W. BARR. CLAIM RETALIATION, HOSPITALIZED DUE TO REFUSAL TO TREAT 2 STOMACH CONDITIONS. DIGITAL RECORDS SHOW RECORDS FOR ULCERS IN NP. BROWN PERSONAL POSSESSION & CONTINUE ABUSE - ONGOING NOW. SEE

\* MSP-15-2177 - ABUSE OF NP. BROWN & LNU. WILLIAMS - SANTOS - REFUSAL TO Biopsy Head, Face 12-1-15 TO 2-26-16 - Denied

MSP-15-1791- 9-4-15/10-22-15/ REFUSED BY SECURITY FOR MEDICAL CALL-OUTS. DIGITAL Med. Records No. 981, 982, 983, 984, 985, 987, 988 \* 980-979 WERE BEGINNING OF & CONTINUED RETALIATION - HARRIS & Lee Doing it Happened, yet Documents provided show Lying pg. 386-388 show Security Refused to Bring.

D. State specifically what official response your grievance received. If the prison provides an administrative review of the decision on your grievance, state whether you applied for that review and what the result was.

- 1) ON EACH GRIEVANCE ABOVE 1ST & 2ND STEP DONE & ON COMPLETELY REFUSED yet
- 2) ON EACH TIME, THERE OWN RECORDS (MEDICAL - PROVIDED WITH 1983) 4-13-2017
- 3) ON 10-7-2016 A.R.P. MSP-16-1998 - REGARDING RETALIATION - REFUSALS TO Biopsy call out By MDOC REFUSED - B. PENNINGTON \* SENT TO EVANS - "REQUESTED RELIEF IS BEYOND THE POWER OF A.R.P. TO GRANT." FURTHER INCLUDED WERE GRIEVANCE SYSTEM WAS UNABLE TO ANSWER BECAUSE SECURITY & MEDICAL DOING TOGETHER BECAUSE OF 1983 JUNE 2015 - DISCRIMINATION TO ALL WHITE INMATES DEATH ROW
- 4) THIS RETALIATION HAS CAUSED INMATE TO BE TORTURED - SEE E-MAILS PROVIDED WITH 1983 - THAT SHOW ATTORNEY STEINER REPEATEDLY HAD TO ADDRESS ABUSE ONGOING FROM 7-2014 TO 2-1-2017 Stemming From ORIGINAL GRIEVANCE - CORRUPTION CHRISTOPHER EPPS ie ARREST NOV. 2014 49 COUNT INDICTMENT.
- 5) ON 11-17-2016 - AFTER COURT ORDERED RESPONSE DOC # 207-4:15cv2. DR. KUIPERS REMOVED 11 CANCER SQUAMOUS CELL CARCINOMA, 2-16-2017. REMOVED 1 Biopsy result @ SQUAMOUS CELL CARCINOMA - yet NP. BROWN ORDERED 100. OF CANCER MADS FOR 35 LESIONS THAT IS SO OBVIOUS ENTIRE FACE COVERED - HEAD - EARS - ARMS & HANDS (TOP).

Special Note: Attach to this Complaint as exhibits complete copies of all requests you made for administrative relief through the grievance system, all responses to your requests or grievances, all administrative appeals you made, all responses to your appeals, and all receipts for documents that you have.

8. If you checked "No" in Question 6, explain why you did not use the grievance procedures or system:

NOT Applicable

9. Write below, as briefly as possible, the facts of your case. Describe how each Defendant is involved. Write the names of all other persons involved. Include dates and precise places of events. Do not give any legal argument or cite any legal authority. If you have more than one claim to present, number each claim in a separate paragraph. Attach additional pages only if necessary; label attached pages as being continuations of Question 9.

MSP-15-741 - Ulcer, canceling stomach - Esophagus - GERD & ALL Medications  
 Sept. 2013 - Sic Call, included NO. \_\_\_\_\_, shows NP BROWN KNOWINGLY REFUSE TO TREAT & ALSO  
 WORKED WITH SECURITY BY COVER UP OF ABUSIVE PRACTICE, DISCRIMINATE TOWARDS INMATE  
 BASED ON HIS COLOR, DUE TO SECURITY N. HARRIS, C. LOFTON, BLAIR, PHILLIPS, RUNNING SIC Bay Clinic  
 & KNOWINGLY TARGETING, REFUSING MEDICATION REFILLS, YET SIGNING DOCUMENTS STATING OPPOSITE  
 INTENTIONALLY, RETALIATING AGAINST INMATE BECAUSE THEY KNEW (SECURITY & MEDICAL STAFF)  
 I HAD GOTTEN ALL WHITE MEN TO GET TOGETHER, STATEMENTS, AFFIDAVITS TELL OF SADISTIC,  
 TORTUOUS ACTIONS AGAINST ALL MEN (WHITE) ON DEATH ROW. THE LPA'S NURSES DAVIS  
 COMES TO ZONE 2 TIMES A DAY, EACH VISIT, SHE COULD CLEARLY SEE I WAS IN DISTRESS SEVERAL  
 TIMES & YET FAILED TO NOTIFY MEDICAL STAFF - FURTHERING TORTUOUS ACTS, CAUSING INMATE  
 TO LOSE 41 LBS. 1 TIME, WERE FROM APRIL 14 TO MAY 17TH 2015 - INMATE THREW UP ALL MEALS  
 LAST WEEK THROWING UP BLOOD - WERE THE C. LOFTON MADE TOURS WITH NURSE DAVIS, TO KEEP  
 UP TORTUOUS ACT ONGOING - WITH N. HARRIS, (T. JACKSON, MAY LAFLORE) WROTE REFUSAL FOR A  
 SESSION THAT I DIDN'T SIGN UP FOR & I HAD DISMISSED HER BECAUSE SHE CAME TO BLDG 29  
 EVERY WED. OR THURSDAY TO DO WELLNESS CHECK FAILED TO DO, BLAIR WOULD DO ROUNDS & PUT  
 DOWN EVERYONE FINE. EXACTLY OPPOSITE, INMATE WAS LOSING WEIGHT FAST, THROWING UP  
 FOOD, ALL 3 MEALS A DAY BECAUSE PRILDOC CANCELED KNOWINGLY BY FREDERIE WILLIAMS  
 NP BROWN, LPA DAVIS - THERE ARE OTHER NURSES, THEY WERE NAMED IN 1ST, 1983  
 & QUIT, P.L.R.A. PROSE LITIGANTS CAN'T GET U.S. MARSHALS TO CHASE PEOPLE



#9. MSP-15-1791-9-4-15 RETALIATION FROM SECURITY FOR FILING 1983 AGAINST medical NP. Brown (Lamar) Williams, DR. P. Madabue, Norma (Evans) = circled Fled prison, day served with papers, by U.S. Marshals AFTER they REFUSED thru the mail. N. Harris wrote 1st step - Denying that NO REFUSAL OF CALL OUT, yet on page: Digital Medical File page 386 & 388 Both physical therapy - per Haley Drew on 386 & 388 endorsed, plus in 2016 Sept. 4th security Lofton & Blair, 9-14-2014 Lofton Blair only 2 officers on A Zone Both days - There are 2 officers for each side. That is why I can say - Because of set schedule, then Nov. 2nd, 2016, Tracy Jackson Morton - working in A Zone REFUSED AGAIN - THIS WAS A call out for Biopsy & TO Assess my BACK, X-ray - Radiologist report reading - Lofton & Blair were CO-4 working that day - The Disclosure will prove they sign check in log sheet BOTH July 23 & 30th 2015 & subsequently. EXHIBIT #1 & 8 - also 981-988, ARE PROOF MDOC. REFUSED medical call out for serious medical need, Cancer Biopsy see page Digital 722 contained in MSP-15-2177-AR.P. 1st step ABOUT RETALIATION - Canceling medication always canceled - Baswell pharmacy report will show how from 7/14/14 till now MDOC & Medical have canceled medication & Medical care due to wet cell papers that Evans filed - 7-14-14 & Exposed Corruption of Contractors & MDOC Harris who always signed off - on repairs for \$600,000.00 roof, that leaked until 2016 - leaked worse after "New" roof put on Summer 2013.

\* MSP-15-2177 - Skin Cancer - AT Spears Hearing - Magistrate can visibly see how bad skin cancer is so obvious - yet Medical staff continues to allow - Vickie Thomas & Medical Director recognized in E-mails - were repeat failures to provide Medical care & direct staff not to violate Medical private contract fraud very obvious, plus the ongoing abuse now has it were LAM. DAUS will not bring Cancer Meds. INSTEAD RETALIATING STAFF FROM 9-04-2016 till 4-11-2017 - I have been denied call outs & also need Medical report by Disclose from 9-1-2016 till 5-1-2017 Internal & external Reports included - Lab tests - ie Blood work up - Biopsy 2-16-17. I have yet to see report - Dr. Rafique request Biopsy on 3/20/2017 for Basal Test, AT Cancer Center of Greenwood & now I have to wait to see if Dr. Rafique will remove - these lesions are bigger than a QUARTER BT Fear that now MDOC is AGAIN RETALIATING By canceling call out to Cancer Center like they did all those REFUSAL - I have enclosed with 1st & 2nd Step Grievance & I have exhausted all avenues inside prison, plus even filed "Emergency Grievance" & NO ANSWER. I asked for Video Cam for Nurses making rounds & EMAIL

B INSTEAD OF FOLLOWING PROTOCOL - MDOC - WROTE 6 REFUSALS  
E-MAIL ENCLOSED FROM 8-14-2014 TILL Feb 2017 ABOUT ALL  
AVENUES OF RETALIATION, MAIL - MEDICAL - MEDICATION.

10. State briefly, exactly what you want the court to do for you. Do not make legal arguments. Do not cite legal authority.

- ① ORDER VIDEO CAM OF ALL NURSES IN 29 J-AM, PM MED PASS & THURSDAY CLINIC.
- ② CHANGE CARE PROVIDER NP. BROWN, LPN WILLIAMS & LPN DAVIS TO ANOTHER UNIT, TO STOP ENTERING UNIT 29.
- ③ ORDER MDOC TO DISCLOSE TO COURT ONLY NEXT GREENWOOD CANCER CENTER VISIT - DUE TO RETALIATION
- ④ GET COMPLETE ASSESSMENT & REMOVE 4 BIG SKIN CANCER LESIONS THAT ARE DANGEROUSLY HUGE - NEED DR. RATIONALE TO REMOVE - MDOC IS STALLING BECAUSE OF STANDARD ABUSE - DENIAL - NEEDED SERIOUS TREATMENT.
- ⑤ VIDEO CAM ALL REFUSALS AT DEATH ROW CONCERNING TIMOTHY U. EVANS
- ⑥ NP. JOHNSON, WHO HAD STARTED CHRONIC CARE, NP. BROWN. CAUSE (ALL 3/20/17) IS CAPABLE OF GETTING JOB DONE. ATTEMPTED TO ORDER HER CARE PROVIDER.
- ⑦ PROFILE PUT IN BOTTOM TIER, BOTTOM BUNK MEDICAL CLASS (5) PROFILE ERASED BY RETALIATION - TO CONTINUE ABUSE & FALSE CLAIMS BY DEFENDANTS.
- ⑧ BOSWELL PHARMACY CHRONOLOGICAL LISTING OF IBUPROFEN, PRILDOC & FLUOROURACIL FROM BEGINNING 3/7/2015 TO NOW - PHARMACY HAS RECORDS & SO DOES MDOC MEDICAL RECORD PHARMACY LISTING AT PARCHMAN.
- ⑨ GET INMATE CARE & LIFTING BELT.
- ⑩ PAY ALL COSTS INVOLVED, & A REPORT OF CONTINUATION OF MS. BE PREPARED.

This Complaint was executed at (location):

MSP - PO BOX 1057 - PARCHMAN, MS, 38738

and I declare or certify or verify or state under penalty of perjury that this Complaint is true and correct.

Date:

4-13-2017

Timothy U. Evans

Plaintiff's Signature

PRIVACY ACT, 18 U.S.C. 2510-2521.

#028

I, Timothy Nelson Evans, #100345, DO hereby give AUTHORIZATION, FULLY UNDERSTANDING THE PURPOSE SUBJECT, CONCERNING MEDICAL REQUESTING.

ALISON STEINER IS my CAPITOL DEFENSE ATTORNEY, AS SUCH, AS STATED IN LETTERS CONTAINED IN EXHIBITS WERE ATTORNEY STEINER SENT E-MAILS

2) THIS, THE EMAILS IS INTENDED FOR USE OF INDIVIDUALS NAMED IN E-MAILS, AS SUCH IT IS WITHIN CONFIDENTIAL PRIVACY ACT TO DISSEMINATE, UTILIZE & I WAS B IS THE INTENDED RECIPIENT, SUBJECT NAMED.

3) I, Timothy N. Evans, authorize the copies to be made, FOR THE PURPOSE OF CIVIL ACTION:

TIMOTHY N. EVANS V. DR. JUAN SANTOS: 4:15CV72-DMB-JMV.

JUNE 9th, 2015 WILL BE EXHIBITS TO VERIFY THE FOLLOWING CIVIL RIGHTS 1983, 1985(3), 1997(A-III), 1ST, 8th & 14th U.S.C.A. TITLE 42, CHAPTER 21, 1996(A-III) CIVIL RIGHTS ACTS.

I was sworn to the Notary listed on 7-2, 2015  
State of MISSISSIPPI  
COUNTY SHREVEPORT

com. exp. 2-26-2016  
Time 10:30 AM.

Timothy Evans  
TIMOTHY NELSON EVANS-SIGNATURE  
KATHRYN M. MCINTYRE  
NOTARY SIGNATURE  
Feb. 26, 2016



# MISSISSIPPI DEPARTMENT OF CORRECTIONS

## Administrative Remedy Program



001

NUMBER MSP - 15 - 2177

### FIRST STEP RESPONSE FORM

Type or use ball point pen. You must return your response to the Legal Claims Adjudicator within 30 days of the date the request was initiated.

TO: Timothy Evans 100345 29 J  
Inmate's Name and DOC# Housing Unit  
 FROM: William Barr WID/11-42  
Person to whom 1st Step is Directed Title/Location

If you are not satisfied with this response, you may go to Step Two by checking below and forwarding to the ARP Legal Claims Adjudicator within 5 days of your receipt of this decision.

*I have reviewed your chart and you have been in good care during the last 2 years with 8 sets of x-rays and numerous labs. Nurse Brown, CNP, is very good at what to biopsy and what to leave alone, but if you want an additional opinion, come see me at 11-42 when I am there.*

*William Barr*

Signature

*12/1/15*

Date

☒ I am not satisfied with this response and wish to proceed to Step Two.

REASON:

*Let, the pharmacy report will substantiate abuse, 2nd my attorney, MDOC attorney Jim Norris thru email's have had to get chronic care restarted that NP Brown canceled, that digital records stated I was 3 I am chronic care yet NP Brown canceled.*

☐ I wish to cancel this complaint. You do not have to return this and time limit will cancel complaint.

*Timothy V. Evans*

Inmate's Signature


DOC#

*12-17-2015*

Date

Inmate's - COPY

**MISSISSIPPI DEPARTMENT OF CORRECTIONS**  
**Administrative Remedy Program**

  
002

**MSP-15-2177**  
**SECOND STEP RESPONSE FORM**

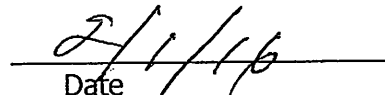
You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Timothy Evans#100345  
Unit: 29J

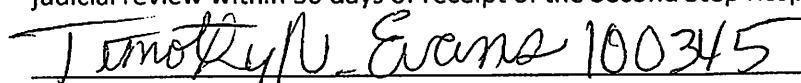
FROM: William Barr  
Title: Medical Director

I have reviewed your records and I cannot find where you ever saw me personally about any ear problem that you have noted.

  
Signature

  
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program and is eligible to seek judicial review within 30 days of receipt of the Second Step Response.

  
Inmate's Signature

DOC #

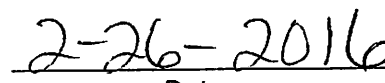
  
Date

EXHIBIT For 4/15cv 72 OMB-JMV. Amended 12-14-16

003

Mississippi Department of Corrections  
633 North State Street Jackson, MS 39202  
(601) 359-5600 Fax:

December 5, 2016  
Page 722  
Chart Document

**TIMOTHY NELSON EVANS**

59 Years Old Male DOB: 03/21/1957 RACE: Caucasian SEC LEV: DR LOC: C MED CL: 4  
Housing Loc: MSP, UNIT 29, BLD J, ZONE A, BED 0016

MDOC #: 100345

11/17/2016 - Append: Prostate & hard to urinate  
Provider: Angela Brown APN-BC  
Location of Care: Mississippi State Penitentiary

11/2016 : PSA, CBC and U/A normal; explained results to pt

Electronically Signed by Angela Brown, APN-BC on 11/17/2016 at 5:25 PM

11/17/2016 - Pathology Report: SKIN BIOPSY, (1 JAR)  
Provider: Hendrik K Kuiper MD  
Location of Care: Mississippi State Penitentiary

Test  
By who & where

Patient: TIMOTHY EVANS  
ID: BIOR 100345  
Note: All result statuses are Final unless otherwise noted.

Tests: (1) SKIN BIOPSY, (1 JAR) (5602-8)  
SKIN BIOPSY [A] MALIGNANT  
.. DERMATOPATHOLOGY REPORT ..

\*1

PATIENT ID:  
100345

SPECIMEN SOURCE:  
Scalp

CLINICAL DATA:  
Provided diagnosis code: B99.9

SAMPLE:  
A. SCALP, BIOPSY

DIAGNOSIS:  
A. SQUAMOUS CELL CARCINOMA IN SITU, MARGIN IS FREE OF LESION.

GROSS DESCRIPTION:  
A. RECEIVED IN FORMALIN AND LABELED WITH PATIENT IDENTIFICATION, CONSISTS OF A TAN UNORIENTED SKIN WITH ATTACHED SUBCUTANEOUS TISSUE MEASURING 1.2 X 0.8 X 0.2 CM. A HYPERPIGMENTED LESION IS PRESENT, MEASURING 0.5 X 0.5 CM. THE MARGINS ARE INKED BLACK. THE SPECIMEN IS SERIALY SECTIONED FROM TIP TO TIP AND ENTIRELY SUBMITTED IN TWO CASSETTES. THE TIPS ARE SUBMITTED IN CASSETTE #1.

Report run by Linda Lewis

EVANS 87

EXHIBIT For 4:15cv72 DMB-JMV Amended 12-14-16

Mississippi Department of Corrections  
633 North State Street Jackson, MS 39202  
(601) 359-5600 Fax:

December 5, 2016  
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Chart Document

**TIMOTHY NELSON EVANS**

59 Years Old Male DOB: 03/21/1957 RACE: Caucasian SEC LEV: DR LOC: C MED CL: 4  
Housing Loc: MSP, UNIT 29, BLD J, ZONE A, BED 0016

MDOC #: 100345

YONG MING LI, M.D., PH.D.

BOARD CERTIFIED DERMATOPATHOLOGIST  
This report was electronically signed.

**FINAL REPORT**

Note: An exclamation mark (!) indicates a result that was not dispersed into the flowsheet.

Document Creation Date: 11/21/2016 11:05 PM

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(1) Order result status: Final  
Collection or observation date-time: 11/17/2016 12:50  
Requested date-time: 11/17/2016 12:50  
Receipt date-time: 11/18/2016 01:55  
Reported date-time: 11/21/2016 21:31  
Referring Physician:  
Ordering Physician: HENDRIK KUIPER (hkuiper)  
Specimen Source:  
Source: BIOR  
Filler Order Number: 650060945  
Lab site: BioReference Laboratories, Inc.  
Producer ID \*1:NJ1

Electronically Signed by Hendrik K Kuiper MD on 11/22/2016 at 10:48 AM

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1.0 11/20/2016 - Nurse SCR Progress Note: mult complaints reschedule due to escort  
Provider: Beth Burchfield RN  
Location of Care: Mississippi State Penitentiary

**Nurse Sick Call**

Referral Source: Inmate  
Nurse Sick Call Chief Complaint: mult complaints  
Date SCR Completed by Inmate: 11/18/2016  
SCR Date Received: 11/19/2016  
Date SCR Triage: 11/19/2016  
Date Seen: 11/19/2016

**Vital Signs**

Comments: Father died cancer  
No past medical history

Assessment

Updated Allergies:

Report run by Linda Lewis



EXHIBIT For 4:15cv72 OMB-JMV. amended 12-14-16

2  
009

**Mississippi Department of Corrections**  
633 North State Street Jackson, MS 39202  
(601) 359-5600 Fax:

December 5, 2016  
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Chart Document

**TIMOTHY NELSON EVANS**

59 Years Old Male DOB: 03/21/1957 RACE: Caucasian SEC LEV: DR LOC: C MED CL: 4  
Housing Loc: MSP, UNIT 29, BLD J, ZONE A, BED 0016

MDOC #: 100345

**Placement**

General Population

**Vital Signs**

**Visual Acuity - Distance**

**Visual Acuity - Near**

Electronically Signed by Beth Burchfield RN on 11/22/2016 at 3:48 PM

2

11/23/2016 - Provider Sick Call: biopsy results, want pneumotrefill RESCHEDULE TO TRANSPORTATION  
Provider: Jalissa Smith, CNA  
Location of Care: Mississippi State Penitentiary

**Dr. Sick Call**

Referral Source: Nurse

Chief Complaint: f/u biopsy results, want pneumo shot, refill

Date SCR Completed by Inmate: 11/18/2016

SCR Date Received: 11/19/2016

Date SCR Triaged: 11/19/2016

Date Seen: 11/23/2016

**Vital Signs**

Comments regarding family history: Father died cancer

No past medical history

**Review of Systems**

**Interdisciplinary Progress Note**

Other: RESCHEDULE DUE TO TRANSPORTATION

**Vital Signs**

**Visual Acuity - Distance**

**Visual Acuity - Near**

Report run by Linda Lewis

EXHIBIT For 4:15cv72 OMB-JMV Amended 12-14-16

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010

Mississippi Department of Corrections  
633 North State Street Jackson, MS 39202  
(601) 359-5600 Fax:

December 5, 2016  
Page 729  
Chart Document

**TIMOTHY NELSON EVANS**

59 Years Old Male DOB: 03/21/1957 RACE: Caucasian SEC LEV: DR LOC: C MED CL: 4  
Housing Loc: MSP, UNIT 29, BLD J, ZONE A, BED 0016

MDOC #: 100345

**Vital Signs**

**Visual Acuity - Distance**

**Visual Acuity - Near**

Electronically Signed by Broderick Brown on 11/23/2016 at 12:48 PM

3  
11/25/2016 - Nurse Sick Call FOLLOW UP: SC Nurse F/U, remove head sutures RESCHEDULED DUE TO ESCORT  
Provider: Beth Burchfield RN  
Location of Care: Unit 42 Medical

**Nurse Sick Call FOLLOW UP**

Nurse Sick Call Chief Complaint: remove head sutures

Date of Last Visit

11/23/2016

Date Seen: 11/25/2016

Vital Signs

Height: 71

**Assessment**

Updated Allergies:

\* ZANTAC AND CODEIN (Critical)

? of ANXIETY (ICD-300.00)

\* ? of MANIA

\* Hx of BLEEDING ULCER PER PT

\* VARICOSE VEINS

\* ARTHRITIS 2015

\* CHRONIC LUMBAGO

\* T12 COMPRESSION FRACTURE, MILD, REMOTE, WITH DJD CHANGES

\* FACET ARTHROPATHY L3-S1

\* SPONDYLOLISTHESIS L5-S1

HYPERLIPIDEMIA (ICD-272.4)

PSORIASIS (ICD-696.1)

HYPERTENSION (ICD-401.1)

MAJOR DEPRESSIVE DISORDER, RECURRENT, IN PARTIAL REMISSION (DS4-296.35)

\* Hx of GERD

\* Hx of ESOPHAGEAL VARICES

\* Hx of PSORIASIS OF SCALP

Report run by Linda Lewis

EXHIBIT For 4:15cv72 DMB-JMV. Amended 12-14-16

  
011

Mississippi Department of Corrections  
633 North State Street Jackson, MS 39202  
(601) 359-5600 Fax:

December 5, 2016  
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Chart Document

**TIMOTHY NELSON EVANS**

59 Years Old Male DOB: 03/21/1957 RACE: Caucasian SEC LEV: DR LOC: C MED CL: 4  
Housing Loc: MSP, UNIT 29, BLD J, ZONE A, BED 0016

MDOC #: 100345

HEPATITIS C (ICD-070.51)  
ALCOHOL ABUSE (AXIS I) (DS4-305.00)

Electronically Signed by Beth Burchfield RN on 11/25/2016 at 12:10 PM

11/26/2016 - Nurse Sick Call FOLLOW UP: SC Nurse F/U---SUTURES-Rescheduled due to security  
Provider: Juanita Thomas  
Location of Care: Mississippi State Penitentiary

4

Rescheduled due to security

**Nurse Sick Call FOLLOW UP**

Nurse Sick Call Chief Complaint: SUTURES

Date of Last Visit

11/25/2016

Date Seen: 11/26/2016

Vital Signs

Height: 71

Assessment

Updated Allergies:

\* ZANTAC AND CODEIN (Critical)

? of ANXIETY (ICD-300.00)

\* ? of MANIA

\* Hx of BLEEDING ULCER PER PT

\* VARICOSE VEINS

\* ARTHRITIS 2015

\* CHRONIC LUMBAGO

\* T12 COMPRESSION FRACTURE, MILD, REMOTE, WITH DJD CHANGES

\* FACET ARTHROPATHY L3-S1

\* SPONDYLOLISTHESIS L5-S1

HYPERLIPIDEMIA (ICD-272.4)

PSORIASIS (ICD-696.1)

HYPERTENSION (ICD-401.1)

MAJOR DEPRESSIVE DISORDER, RECURRENT, IN PARTIAL REMISSION ( (DS4-296.35)

\* Hx of GERD

\* Hx of ESOPHAGEAL VARICES

\* Hx of PSORIASIS OF SCALP

HEPATITIS C (ICD-070.51)

ALCOHOL ABUSE (AXIS I) (DS4-305.00)

Report run by Linda Lewis



012

Mississippi Department of Corrections  
633 North State Street Jackson, MS 39202  
(601) 359-5600 Fax:

December 5, 2016  
Page 724  
Chart Document

**TIMOTHY NELSON EVANS**

59 Years Old Male DOB: 03/21/1957 RACE: Caucasian SEC LEV: DR LOC: C MED CL: 4  
Housing Loc: MSP, UNIT 29, BLD J, ZONE A, BED 0016

MDOC #: 100345

\* ZANTAC AND CODEIN (Critical)

? of ANXIETY (ICD-300.00)  
\* ? of MANIA  
\* Hx of BLEEDING ULCER PER PT  
\* VARICOSE VEINS  
\* ARTHRITIS 2015  
\* CHRONIC LUMBAGO  
\* T12 COMPRESSION FRACTURE, MILD, REMOTE, WITH DJD CHANGES  
\* FACET ARTHROPATHY L3-S1  
\* SPONDYLOLISTHESIS L5-S1  
HYPERLIPIDEMIA (ICD-272.4)  
PSORIASIS (ICD-696.1)  
HYPERTENSION (ICD-401.1)  
MAJOR DEPRESSIVE DISORDER, RECURRENT, IN PARTIAL REMISSION ( (DS4-296.35)  
\* Hx of GERD  
\* Hx of ESOPHAGEAL VARICES  
\* Hx of PSORIASIS OF SCALP  
HEPATITIS C (ICD-070.51)  
ALCOHOL ABUSE (AXIS I) (DS4-305.00)

**Vital Signs**

**Visual Acuity - Distance**

**Visual Acuity - Near**

1.1  
Electronically Signed by Beth Burchfield RN on 11/20/2016 at 4:30 PM

11/21/2016 - Nurse SCR Progress Note: multi complaint--RESCHEDULED, due to escort  
Provider: Juanita Thomas  
Location of Care: Mississippi State Penitentiary

**Nurse Sick Call**

Referral Source: Inmate  
Nurse Sick Call Chief Complaint: multi complaint  
Date SCR Completed by Inmate: 11/18/2016  
SCR Date Received: 11/21/2016  
Date SCR Triaged: 11/21/2016  
Date Seen: 11/21/2016

Report run by Linda Lewis



Mississippi Department of Corrections  
633 North State Street Jackson, MS 39202  
(601) 359-5600 Fax:

December 5, 2016  
Page 654  
Chart Document

**TIMOTHY NELSON EVANS**

59 Years Old Male DOB: 03/21/1957 RACE: Caucasian SEC LEV: DR LOC: C MED CL: 4  
Housing Loc: MSP, UNIT 29, BLD J, ZONE A, BED 0016

MDOC #: 100345

Temperature: 98.2 degrees F (oral)  
Pulse rate: 91  
Pulse rhythm: regular  
Respirations: 18  
Vitals Entered by: Juan Santos MD, September 8, 2016 3:55 PM  
Blood Pressure: 120/70 mm Hg

**Visual Acuity - Distance**

**Visual Acuity - Near**

Electronically Signed by Juan Santos MD on 09/08/2016 at 4:05 PM

09/13/2016 - Orders: meds  
Provider: Angela Brown APN-BC  
Location of Care: MSP Unit 29

**Orders**

**Medications:**

Added new medication of IBUPROFEN 400 MG TABS (IBUPROFEN) One to Two tablets by mouth three times daily with food as needed - Signed  
Rx of IBUPROFEN 400 MG TABS (IBUPROFEN) One to Two tablets by mouth three times daily with food as needed; #180 x 0; Signed; Entered by: Angela Brown, APN-BC; Authorized by: Angela Brown, APN-BC;  
Method used: Faxed to Boswell Pharmacy Services, 131 Schoolhouse Road, Jennerstown, PA 15547, Ph: , Fax: 866-629-7644

Electronically Signed by Angela Brown, APN-BC on 09/13/2016 at 2:32 AM

09/14/2016 - Nurse SCR Progress Note: mult complaints--rescheduled due to escort  
Provider: Beth Burchfield RN  
Location of Care: Mississippi State Penitentiary

**Nurse Sick Call**

Referral Source: Inmate  
Nurse Sick Call Chief Complaint: mult complaints--rescheduled due to escort  
Report run by Linda Lewis

Mississippi Department of Corrections  
633 North State Street Jackson, MS 39202  
(601) 359-5600 Fax:

December 5, 2016  
Page 700  
Chart Document

**TIMOTHY NELSON EVANS**

59 Years Old Male DOB: 03/21/1957 RACE: Caucasian SEC LEV: DR LOC: C MED CL: 4  
Housing Loc: MSP, UNIT 29, BLD J, ZONE A, BED 0016

MDOC #: 100345

Signed before import by Gail R Williams MD  
Filed automatically on 11/18/2016 at 3:02 PM

10/31/2016 - Medical Segregation: Medical Segregation  
Provider: Nina Waltzer NP  
Location of Care: Mississippi State Penitentiary  
This document contains external references

**Medical Segregation**

Imported By: Cynthia Benford-Med Records 11/17/2016 1:13:09 PM

**External Attachment:**

Type: Image  
Comment: External Document

Signed before import by Nina Waltzer NP  
Filed automatically on 11/17/2016 at 2:00 PM

11/02/2016 - Nurse SCR Progress Note: Med refill, Back pain Reschedule due to escort  
Provider: Shelier D Grady EMT  
Location of Care: Mississippi State Penitentiary

**Nurse Sick Call**

Referral Source: Inmate  
Nurse Sick Call Chief Complaint: Med refill, Back pain  
Date SCR Completed by Inmate: 10/31/2016  
SCR Date Received: 11/01/2016  
Date SCR Triage: 11/02/2016  
Date Seen: 11/02/2016

**Vital Signs**

Comments: Father died cancer  
No past medical history

**Assessment**

Updated Allergies:

Report run by Linda Lewis

MISSISSIPPI DEPARTMENT OF CORRECTIONS  
Administrative Remedy Program

ARP-2

21

NUMBER MSP - 15 - 741

FIRST STEP RESPONSE FORM

Type or use ball point pen. You must return your response to the Legal Claims Adjudicator within 30 days of the date the request was initiated.

TO: Timothy Evans # 100345 29 J  
Inmate's Name and DOC# Housing Unit  
FROM: Mr. Paul M. Medical  
Person to whom 1st Step is Directed Title/Location

If you are not satisfied with this response, you may go to Step Two by checking below and forwarding to the ARP Legal Claims Adjudicator within 5 days of your receipt of this decision.

1 Nurse Practitioner Brown reinforced to you that she would need medical records regarding bleeding ulcers first before she can send you to a specialist because records are going to be requested.

[Signature] 7/26/15  
Signature Date

☒ I am not satisfied with this response and wish to proceed to Step Two.  
REASON:

Attorney Steiner sent records here to show Chronic Care  
Authenticated, Certified, MPOC Medical records, NPBrown refused them  
on purpose, they were good for Dr. R. Meachum, yet not NPBrown

☐ I wish to cancel this complaint. You do not have to return this and time limit will cancel complaint.

Timothy W. Evans 100345 7-12-2015  
Inmate's Signature DOC# Date

CASE NO 4:15 CV 72 DMB-JMV EXHIBIT # 0660.2

**Mississippi Department of Corrections**  
633 North State Street Jackson, MS 39202  
(601) 359-5600 Fax:

September 1, 2015  
Page 359  
Chart Document

**TIMOTHY NELSON EVANS**

58 Years Old Male DOB: 03/21/1957 RACE: Caucasian SEC LEV: DR LOC: C MED CL: 4  
Housing Loc: MSP, UNIT 29, BLD J, ZONE A, BED 0030

MDOC #: 100345

Imported By: Cynthia Benford 6/11/2015 10:56:13 AM

---

External Attachment:

Type: Image  
Comment: External Document

Signed before import by Angela Brown, APN-BC  
Filed automatically on 06/11/2015 at 11:00 AM

---

06/15/2015 - Append: Release of information Highland Comm. Hosp. Ulcer  
Provider: Angela Brown, APN-BC  
Location of Care: Mississippi State Penitentiary

pt does not have scleroderma

Electronically Signed by Angela Brown, APN-BC on 06/15/2015 at 8:17 PM

---

06/11/2015 - Chronic Care: HTN/ Lipids , Hep-C , GERD. SCR : Psoriasis , lab result  
Provider: Angela Brown, APN-BC  
Location of Care: Mississippi State Penitentiary

**SUBJECTIVE**

**Nursing Assessment for Chronic Care Clinics**

**Vital Signs**

Height: 71

Weight: 175

Temperature: 97.2

Temperature site: oral

Pulse rate: 68

Pulse rhythm: regular

Respirations: 18

Blood Pressure: 142 / 80 mm Hg

Year quit smoking: April 2012

Smoking pack-years: 1 pack daily

Alcohol Consumption: Yes

Report run by Hope Davis



exhibits # 0122.1

**MISSISSIPPI DEPARTMENT OF CORRECTIONS**  
**Administrative Remedy Program**

**MSP-15-741**  
**SECOND STEP RESPONSE FORM**

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Timothy Evans #100345  
Unit: 29J

FROM: Paul Madubuwu  
Title: Medical Director

You were seen by a specialist on April 27, 2015 for Esophagus Endoscopy/Ligation due to chronic heartburns. A specialty consult has also been submitted regarding stomach problems. You have also been checked by a medical provider for different things due to supposedly having signs of bleeding. You also have been seen weekly for different medical problems as well. Until you can provide records justifying that you have been diagnosed with bleeding ulcers, the medical provider will not be able to send you to a specialist because records are going to be requested.

Signature

Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program and is eligible to seek judicial review within 30 days of receipt of the Second Step Response.

Inmate's Signature

DOC #

Date

exhibit Federal court  
019

EXHIBIT # 00754

015

Reordered By	
Order Date	
Received By	
Start Date	

**BOSWELL** PHARMACY SERVICES, LLC DEA# BB5804542  
131 Schoolhouse Road, Jennerstown, PA 15547 • 1-888-688-3288

Rx# 61453161-2 8/3/2016 08/09/16 BROWN, A  
29J EVANS, TIMOTHY 100345  
TAKE 1 CAPSULE(S) BY MOUTH \*REF 7 DAYS BEFORE 8/9/2015  
DAILY

CAUTION: Federal law prohibits the transfer of this drug to any person other than the individual to whom it was prescribed.

6 CAP Total Qty 0 REFILLS

6 CAP - Each

OMEPRAZOLE 20MG CAP DR

Generic for: PRILOSEC

1 of 1

ACQ JMM - BNC MISP

62175011843 KREME/  
MISS STATE PENITENTIARY





OMEPRAZOLE 20MG DR CAP  
51555437 EVANS, TIMOTHY  
08/07/15 10/21/16 11/04/15

**BOSWELL** PHARMACY SERVICES, LLC DEA# BBS804542  
131 Schoolhouse Road, Jennerstown, PA 15547 • 1-888-688-3288

Rx# 51555437-3 10/21/2015 11/04/15 BROWN, A  
29J EVANS, TIMOTHY 100345  
TAKE 1 CAPSULE(S) BY MOUTH \*REF 7 DAYS BEFORE 11/4/2015  
DAILY

Rendered  
On  
Received By  
Start Date

**A30**

14 CAP Total Qty 0 REFILLS

14 CAP - Each

OMEPRAZOLE 20MG DR CAP

Generic for: PRILOSEC

1 of 1

ACQ JMM BNC MISP

00781279010 SANDO  
MISS STATE PENITENTIAR



OMEPRAZOLE 20MG CAP DR  
51453161 EVANS, TIMOTHY  
06/11/15 08/03/15 08/09/15

EXHIBIT # 0024



STATE OF MISSISSIPPI  
DEPARTMENT OF CORRECTIONS  
MARSHALL FISHER  
COMMISSIONER

Earnest Lee Superintendent  
Mississippi State Penitentiary

Post Office Box 1057  
Parchman, Mississippi 38738  
(662)745-6611

**Date: March 25, 2015**

**To: Offender Timothy Evans #100345, Unit 29J**

**From: Case Manager Mary Cotton, Unit 29J**

**Re: Correspondence to Warden Timothy J. Morris**

---

Warden Morris received your correspondence, regarding your medical issues and housing concerns. I have been designated to address these concerns. Your medical concerns will have to be handled, via Wexford medical staff. In regards to your housing, your move to the bottom tier was not a temporary move. It was approved by Superintendent Lee based on the medical profile, provided by Wexford medical staff.

**Pc: Offender's file  
file**



**CAPITAL DEFENSE COUNSEL**

*A Division of the Office of State Public Defender*



André de Gruy  
Capital Defender

005.1  
# 978

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EXHIBIT 4:15CV72 EVANS v. SANTOS

August 10, 2014

To whom it may concern:

Mr. Timothy Evans has my permission to use any communication between myself and individuals at the MDOC concerning his medical treatment there as an exhibit in any civil litigation in which he is engaged.

Yours truly,

Alison Steiner

Direct line: 601-576-3214

Email: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)

005.2

**Alison Steiner**

---

**From:** Alison Steiner  
**Sent:** Wednesday, August 13, 2014 4:05 PM  
**To:** 'Norris, Jim'; gperry@mdoc.state.ms.us  
**Subject:** My client Timothy Evans MDOC 100345 -- Medication issues

Dear Mr. Norris and Dr. Perry:

I am hopeful that one or the other of you can get this matter to the appropriate person or office for resolution, and thank you in advance for your assistance in doing so.

Mr. Evans has told me that up till now, he has regularly been receiving two chronic care daily medications, both in 30 dose pill paks: HCTZ for high blood pressure and Prilosec 40 mg for acid reflux. He continued getting those medications on a per day delivery while he was hospitalized earlier this month, and was told by Dr. Santos that an order was in place for Mr. Evans to continue those medications after his return to his unit.

However, since his return to Unit 29, this has not happened. Mr. Evans has not received either his usual chronic care refill of those medicines or been given those medications on a per day basis, as would be expected if for any reason he was not permitted to get multi-dose paks. His last 30 day pill pak ran out shortly after his return to the unit on August 4. Mr. Evans tells me that he now is having difficulty keeping his food down as a result of having no Prilosec, and is concerned that his blood pressure is not under control, as well.

Mr. Evans has contacted the nurse about this, and was told that there are not, at present, any orders for him to receive these medications. A complaint to the guard staff raising this and other more general matters was handled without any reference or response to that particular issue.

It seems like some sort of communication error has occurred in getting Dr. Santos's continuation of medication order to the pharmacy or unit nurse. I would appreciate it if you could refer this problem to the person or office you think most likely to resolve it.

Thank you for your assistance.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2316 (office)  
601-576-2314 (direct line)  
Fax: 601-576-2319  
Cell: 504-453-1983  
email: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)

PLEASE NOTE AND CORRECT YOUR ADDRESS BOOK AND OTHER CONTACT INFORMATION FOR ME TO REFLECT THE CHANGE IN MY WORK EMAIL ADDRESS TO THE ONE SHOWN ABOVE: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov).

This change is effective immediately. My former email addresses ([alison@capdefcounsel.com](mailto:alison@capdefcounsel.com) and [as2314@bellsouth.net](mailto:as2314@bellsouth.net)) no longer exist, and emails sent to them will not be delivered to me.

005.2

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-----Original Message-----

From: Perry, Gloria [mailto:gperry@mdoc.state.ms.us]  
Sent: Wednesday, August 13, 2014 5:35 PM  
To: Madubuwonwu, Paul  
Cc: Alison Steiner; Norris, Jim  
Subject: Re: My client Timothy Evans MDOC 100345 -- Medication issues

Thank you,

Gloria Perry, MD

On Aug 13, 2014, at 4:59 PM, "Madubuwonwu, Paul"  
<PMadubuwonwu@mdoc.state.ms.us<mailto:PMadubuwonwu@mdoc.state.ms.us>> wrote:

Dear Dr. Perry,

Please due to a glitch in the system the patient did not get his medications as he should. We are right away giving him a 3 days medication supply from MSP pharmacy and hopefully he will get the full complement of his medications from Boswell in the next few days.

Thanks you and have a good evening.

Paul. 

From: Perry, Gloria  
Sent: Wednesday, August 13, 2014 4:22 PM  
To: Thomas, Vickie  
Cc: Evans, Norma; Madubuwonwu, Paul  
Subject: FW: My client Timothy Evans MDOC 100345 -- Medication issues

Please provide a response for the below concern for Inmate Timothy Evans (#100345). Thank you

From: Alison Steiner [mailto:AStei@ospd.ms.gov]  
Sent: Wednesday, August 13, 2014 4:07 PM  
To: Norris, Jim; Perry, Gloria  
Subject: My client Timothy Evans MDOC 100345 -- Medication issues

Dear Mr. Norris and Dr. Perry:

I am hopeful that one or the other of you can get this matter to the appropriate person or office for resolution, and thank you in advance for your assistance in doing so.

005.3

**Alison Steiner**

---

**From:** Norris, Jim <JNORRIS@mdoc.state.ms.us>  
**Sent:** Thursday, November 20, 2014 12:27 PM  
**To:** Alison Steiner  
**Subject:** RE: Timothy Evans MDOC # 100345 - follow up

I do not know the time frame but will forward this to the people who should be able to provide that information.

-----Original Message-----

**From:** Alison Steiner [<mailto:AStei@ospd.ms.gov>]  
**Sent:** Thursday, November 20, 2014 12:23 PM  
**To:** Norris, Jim  
**Subject:** RE: Timothy Evans MDOC # 100345 - follow up

Jim,

Thanks for your help getting Mr. Evans' chronic care treatment issues moved forward last month. As promised, Mr. Evans has his medications and was seen by U-29 medical. Dr. Santos has added Evans' back and leg pain conditions to his treatment regime. Dr. Santos also told Evans that he would make a medical request that Mr. Evans be rehoused in a ground floor cell so that Evans does not have to go up and down stairs for things that occur on the lower level, like legal visits and outside exercise.

It has now been three weeks since that request was made. Mr. Evans met with Captain Norris yesterday on its status and is grateful for the time the Captain gave him. Captain Norris confirmed that Dr. Santos' medical request had been received and is being acted on. Captain Norris also told Mr. Evans that he does have available space for making such a move, if it is approved. Captain Norris also said he has passed the request up the chain of command for the necessary security approvals. As I understand it, that includes approval by the Superintendent.

Is there something more Mr. Evans needs to ask his Dr. to provide, or that he needs to do himself, to ensure that this matter is considered as soon as it can be at whatever levels remain to consider it? Thanks for directing this inquiry to the appropriate people, and letting me know what to tell Mr. Evans about time frame.

Hope you are still ice free, and that you have a Happy Thanksgiving.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2316 (office)  
601-576-2314 (direct line)  
Fax: 601-576-2319  
Cell: 504-453-1983  
email: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)

005.3

**Alison Steiner**

---

**From:** Turner, Marshal <MTurner@mdoc.state.ms.us>  
**Sent:** Monday, November 24, 2014 8:28 AM  
**To:** Alison Steiner; Santos, Juan  
**Cc:** Lee, Earnest; Norris, Jim; Morris, Norris J.; Blair, Tommy; Murry, Ruby; Harris, Nathan; Banks, Wendell; Reddicks, Shirley  
**Subject:** Timothy Evans #100345

Sir, your correspondence request has been received by me and the Superintendent's office. On 11-23-14 I did interview your client and discovered through him that a request to move to another cell was suppose to be initiated by his doctor (Santos) Submitting a medical request detailing the reason and conditions that substantiate the request. Commander Morris states, he is still waiting on the paperwork.

Once Doctor Santos submit the request to Commander Morris or Lt. Harris who supervise unit 29-J we can move forward to gain approval/disapproval by the Superintendent. We will not consider a move without proper medical documentation. Thanks.

Sent from my Windows Phone

005.3

**Alison Steiner**

---

**From:** Alison Steiner  
**Sent:** Monday, December 01, 2014 1:14 PM  
**To:** 'Turner, Marshal'; Santos, Juan  
**Cc:** Lee, Earnest; Norris, Jim; Morris, Norris J.; Blair, Tommy; Murry, Ruby; Harris, Nathan; Banks, Wendell; Reddicks, Shirley  
**Subject:** RE: Timothy Evans #100345

Thank you all so much for your help on this. I have passed the information on to Mr. Evans, who is also grateful.

When I spoke to him, he mentioned that he had not received his December renewal for his chronic care medications (prilosec, HCTZ) which will run out on Wednesday, though usually he would have gotten the paks by now.

Thanks for any assistance you can give us on that, as well.

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2316 (office)  
601-576-2314 (direct line)  
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-----Original Message-----

**From:** Turner, Marshal [<mailto:MTurner@mdoc.state.ms.us>]  
**Sent:** Monday, November 24, 2014 8:28 AM  
**To:** Alison Steiner; Santos, Juan  
**Cc:** Lee, Earnest; Norris, Jim; Morris, Norris J.; Blair, Tommy; Murry, Ruby; Harris, Nathan; Banks, Wendell; Reddicks, Shirley  
**Subject:** Timothy Evans #100345



005.3

Sir, your correspondence request has been received by me and the Superintendent's office. On 11-23-14 I did interview your client and discovered through him that a request to move to another cell was suppose to be initiated by his doctor (Santos) Submitting a medical request detailing the reason and conditions that substantiate the request. Commander Morris states, he is still waiting on the paperwork.

Once Doctor Santos submit the request to Commander Morris or Lt. Harris who supervise unit 29-J we can move forward to gain approval/disapproval by the Superintendent. We will not consider a move without proper medical documentation. Thanks.

Sent from my Windows Phone

EX-151-74-000 B.2  
CIVIL ACTION  
PAGE 005.3  
02013-2022

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-----Original Message-----

From: Norris, Jim [mailto:[JNORRIS@mdoc.state.ms.us](mailto:JNORRIS@mdoc.state.ms.us)]  
Sent: Tuesday, December 02, 2014 8:18 AM  
To: Alison Steiner  
Subject: Timothy Evans

He should get his medicine Wednesday.

Jim

James M. "Jim" Norris  
Special Assistant Attorney General/MDOC  
Box 36  
Parchman, MS 38738  
[jnorris@mdoc.state.ms.us](mailto:jnorris@mdoc.state.ms.us)  
Office 662-745-6611 x 4159  
Mobile 662-719-2007  
Fax 662-745-2959

Alison Steiner • Timothy Evans

EXHIBIT # 0088 - February 2015, 19th.  
CIVIL ACTION 2015-0022

From: Alison Steiner  
 Sent: Wednesday, December 03, 2014 11:09 AM  
 To: 'Norris, Jim'  
 Subject: RE: Timothy Evans

005.3

I Heraby AUTHORIZE COPIES  
 TO BE MADE FOR ABOVE CIVIL ACTION  
 BECAUSE ATTORNEY STEINER IS MY LEGAL  
 COUNSEL REPRESENTATIVE

Jim

Sorry to bother you again.

I just spoke to Mr. Evans. I had reassured him yesterday on the basis of your note that his chronic care medications would be there today. However, he just called me and told me that neither the nurse nor the EMT who saw him this morning had his medication paks. Each also told him there was no order in the computer for them as of this morning before they came to the unit, but that they would make inquiries of the doctor on this.

I realize that there is a lockdown in Unit 29 that may have complicated things, and I continue to trust that the medications will in fact be ordered and delivered today. Nonetheless, I thought I would let you know that they were not brought during the regular nursing and medical rounds at 29 J this morning.

Thanks for passing this on to whoever needs to follow through.

Cordially,

Alison Steiner  
 Office of the State Public Defender  
 Capital Defense Counsel Division  
 239 N. Lamar St. Suite 604  
 Jackson, MS 39201  
 Ph: 601-576-2316 (office)  
 601-576-2314 (direct line)  
 Fax: 601-576-2319  
 Cell: 504-453-1983  
 email: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)

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REDACTED IS CONFIDENTIAL ATTORNEY CLIENT PRIVILEGE.

Timothy Evans

EXHIBIT #0095 005.4

Alison Steiner

---

From: Alison Steiner  
Sent: Friday, May 29, 2015 4:01 PM  
To: 'Norris, Jim'; Perry, Gloria  
Subject: Timothy Evans MDOC #100345

Dear Mr. Norris and Dr. Perry:

You have previously been most helpful in assisting me with chronic care medical treatment issues attending Mr. Evans. I am happy to tell you --and thank you both for any efforts that have resulted in this -- that with only one exception everything seems to have been resolved.

The only exception is some uncertainty on whether he is or is not on chronic care status for his recurrent GERD (acid reflux) problems, including receiving prilosec as a chronic care medication for it. In early May, he was told that his prilosec was being discontinued as a chronic care medication, and he was not given a renewal supply. On May 17 he was hospitalized when he had serious gastrointestinal problems resulting from that discontinuance. He was given a 30 day supply of prilosec on discharge, and was told that he would be reviewed for chronic care status on that medication in follow up before that supply expired.

Though he still has more than two weeks supply presently in hand, he is concerned that with everything attending transfer to the new medical contract provider next week this review may not be taken timely. He has put in for a medical call to discuss this, but I am also alerting you to the reason for his doing so, in case the transfer process needs to be adjusted in his case to ensure a timely response.

Thank you for forwarding this inquiry to the proper people to take care of it. I hope you have a pleasant weekend.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2314 (direct line)  
Fax: 601-576-2319  
Cell: 504-453-1983  
email: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)

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EXHIBIT # 0096 005.4

**Alison Steiner**

---

**From:** Perry, Gloria <gperry@mdoc.state.ms.us>  
**Sent:** Monday, June 01, 2015 1:36 PM  
**To:** Alison Steiner  
**Cc:** Norris, Jim  
**Subject:** RE: Timothy Evans MDOC #100345

Attorney Steiner,  
I forwarded your concern to the site medical director at MSP for review of Inmate Evans' medications and response.  
Thank you, Dr. Perry

**From:** Alison Steiner [<mailto:AStei@ospd.ms.gov>]  
**Sent:** Friday, May 29, 2015 4:08 PM  
**To:** Norris, Jim; Perry, Gloria  
**Subject:** Timothy Evans MDOC #100345

Dear Mr. Norris and Dr. Perry:

You have previously been most helpful in assisting me with chronic care medical treatment issues attending Mr. Evans. I am happy to tell you --and thank you both for any efforts that have resulted in this -- that with only one exception everything seems to have been resolved.

The only exception is some uncertainty on whether he is or is not on chronic care status for his recurrent GERD (acid reflux) problems, including receiving prilosec as a chronic care medication for it. In early May, he was told that his prilosec was being discontinued as a chronic care medication, and he was not given a renewal supply. On May 17 he was hospitalized when he had serious gastrointestinal problems resulting from that discontinuance. He was given a 30 day supply of prilosec on discharge, and was told that he would be reviewed for chronic care status on that medication in follow up before that supply expired.

Though he still has more than two weeks supply presently in hand, he is concerned that with everything attending transfer to the new medical contract provider next week this review may not be taken timely. He has put in for a medical call to discuss this, but I am also alerting you to the reason for his doing so, in case the transfer process needs to be adjusted in his case to ensure a timely response.

Thank you for forwarding this inquiry to the proper people to take care of it. I hope you have a pleasant weekend.

Cordially,

Alison Steiner  
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Capital Defense Counsel Division  
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Jackson, MS 39201  
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Fax: 601-576-2319  
Cell: 504-453-1983  
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EXHIBIT # 0097.1 0054

**Alison Steiner**

---

**From:** Madubuwonwu, Paul <PMadubuwonwu@mdoc.state.ms.us>  
**Sent:** Tuesday, June 02, 2015 3:06 PM  
**To:** Alison Steiner  
**Cc:** Evans, Norma; Neil Fisher; Perry, Gloria  
**Subject:** RE: Timothy Evans MDOC # 100345.

Ms. Steiner,

You are welcome. Have a great day.

*Professor & Author, Dr. Paul Madubuwonwu, B.SC, B.M., B.CH, M.D., M.D.  
Medical Director  
Parchman Penitentiary  
Hospital and Clinics  
Parchman, MS 38768  
662-745-6611 ext 4109*

**From:** Alison Steiner [mailto:[AStei@ospd.ms.gov](mailto:AStei@ospd.ms.gov)]  
**Sent:** Tuesday, June 02, 2015 2:58 PM  
**To:** Madubuwonwu, Paul  
**Cc:** Evans, Norma; Neil Fisher; Perry, Gloria  
**Subject:** RE: Timothy Evans MDOC # 100345.

Thank you so much Dr. Madubuwonw. I will reassure Mr. Evans on this point.

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
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005.5

**Alison Steiner**

---

**From:** Alison Steiner  
**Sent:** Monday, June 22, 2015 10:48 AM  
**To:** 'Norris, Jim'; Perry, Gloria  
**Subject:** Timothy Evans MDOC #100345

Dear Mr. Norris and Dr. Perry:

I thank you and Dr. Madubonwu very much for the prompt assistance you all were able to give me and Mr. Evans concerning his chronic care for GERD concerns. I am afraid another issue has arisen, that perhaps you might be able to shed some light upon.

As you know, several months ago, Mr. Evans was moved from an upper tier cell to a ground floor cell. He was given to understand that the move was made to accommodate the back issues for which he receives chronic care. Those problems caused difficulty with him using the stairs when he had to do things on the ground floor, including legal visits or going outside.

He was told this morning that he will be relocated to an upper tier cell tomorrow morning. However, as far as he knows, he continues on chronic care for the back problems that necessitated the move to the ground floor in the first place. Certainly, none of his treaters have told him that his condition has improved so much that he no longer needs the accommodation, or that they have approved the relocation.

I fully appreciate that cell assignment is primarily the province of administration and security. However, where there are medical considerations, it was my understanding that the medical team was also a party to the decision making.

Has this move been authorized by medical, and if not, is there any way medical can be asked for its input before it is?

I appreciate any help you can give in directing these questions to whoever can answer them.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2314 (direct line)  
Fax: 601-576-2319  
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EXHIBIT # 0098.1 005.5

Alison Steiner

---

From: Norris, Jim <JNORRIS@mdoc.state.ms.us>  
Sent: Tuesday, June 23, 2015 8:37 AM  
To: Alison Steiner  
Subject: RE: Timothy Evans MDOC #100345 *NAMED INDIVIDUAL.*

I forwarded your concerns.

Jim  
James M. "Jim" Norris  
Special Assistant Attorney General /  
Mississippi Department of Corrections  
P. O. Box 36  
Parchman, Mississippi 38738  
[jnorris@mdoc.state.ms.us](mailto:jnorris@mdoc.state.ms.us)  
Office 662-745-6611 x 4159  
Mobile 662-719-2007  
Fax 662-745-2959

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----- Original message -----

From: Alison Steiner <[AStei@ospd.ms.gov](mailto:AStei@ospd.ms.gov)>  
Date: 06/22/2015 10:52 AM (GMT-06:00)  
To: "Norris, Jim" <[JNORRIS@mdoc.state.ms.us](mailto:JNORRIS@mdoc.state.ms.us)>, "Perry, Gloria" <[gperry@mdoc.state.ms.us](mailto:gperry@mdoc.state.ms.us)>  
Subject: Timothy Evans MDOC #100345

Dear Mr. Norris and Dr. Perry:

I thank you and Dr. Madubonwu very much for the prompt assistance you all were able to give me and Mr. Evans concerning his chronic care for GERD concerns. I am afraid another issue has arisen, that perhaps you might be able to shed some light upon.

As you know, several months ago, Mr. Evans was moved from an upper tier cell to a ground floor cell. He was given to understand that the move was made to accommodate the back issues for which he receives chronic care. Those problems caused difficulty with him using the stairs when he had to do things on the ground floor, including legal visits or going outside.

He was told this morning that he will be relocated to an upper tier cell tomorrow morning. However, as far as he knows, he continues on chronic care for the back problems that necessitated the move to the ground floor in the first place.

EXHIBIT # 008.2 005.5

Certainly, none of his treaters have told him that his condition has improved so much that he no longer needs the accomodation, or that they have approved the relocation.

I fully appreciate that cell assignment is primarily the province of administration and security. However, where there are medical considerations, it was my understanding that the medical team was also a party to the decision making.

Has this move been authorized by medical, and if not, is there any way medical can be asked for its input before it is?

I appreciate any help you can give in directing these questions to whoever can answer them.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
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email: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)<<mailto:alison@capdefcounsel.com>>

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005.6

**Alison Steiner**

---

**From:** Alison Steiner  
**Sent:** Monday, August 31, 2015 4:56 PM  
**To:** 'Madubuwonwu, Paul'  
**Cc:** Evans, Norma; Perry, Gloria; 'Norris, Jim'  
**Subject:** Timothy Evans MDOC # 100345.

Dear Dr. Madubuwonwu:

Earlier this summer you were able to resolve some issues Mr. Evans was having with his medical treatment while incarcerated at MSP Unit 29-J. Another issue has arisen, unfortunately, and I am contacting you for assistance again.

Mr. Evans tells me that during his August 13 medical exam by Dr. Santos and Nurse Brenda Horn they examined some skin lesions on his face and head. It was his understanding that Dr. Santos was sufficiently concerned about recent changes in these lesions to order follow up testing on them. Mr. Evans thought that that such testing – which he understood to be a “biopsy” to determine if either lesion was cancerous -- was ordered in writing by Dr. Santos at that time.

This follow up has not yet occurred. If Mr. Evans is correct and Dr. Santos has ordered a biopsy to either confirm or rule out a skin cancer, it would seem that this should happen sooner rather than later, and that any problems can be dealt with promptly.

If Mr. Evans is mistaken, and misunderstood what Dr. Santos was telling him, I would hope that his doctor can explain that to Mr. Evans as soon as possible. Whether or not Mr. Evans's understanding of what he was told is correct, the mere fact that he believes this to be the case is a source of great anxiety to him, as it would be to anyone who got (or believed they got) this kind of news from their treating physician.

Thanks you for looking into this for me, and letting me know what to tell my client.

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2314 (direct line)  
Fax: 601-576-2319  
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005.7

**Alison Steiner**

---

**From:** Morris, Timothy <TMorris@mdoc.state.ms.us>  
**Sent:** Friday, October 09, 2015 2:35 PM  
**To:** Alison Steiner; Norris, Jim  
**Cc:** Hall, Charles A.; Cox, Brenda; Mills, Andrew; Reddicks, Shirley; Sturdivant, Marilyn; Myles, Chasity  
**Subject:** RE: Timothy Evans MDOC 100345

I will have my deputies to look into this ASAP. Thanks. TJM

*Thank you*

*Mr. Timothy J. Morris*

Mississippi Department Of Corrections  
Warden, MSP, Area-1

*"Integrity"*

"Choosing your thoughts and actions  
based on values rather than personal gain."

"Doing the right thing when  
no one else is around."

**From:** Alison Steiner [<mailto:AStei@ospd.ms.gov>]  
**Sent:** Friday, October 09, 2015 10:48 AM  
**To:** Norris, Jim  
**Cc:** Hall, Charles A.; Morris, Timothy  
**Subject:** Timothy Evans MDOC 100345

Dear Jim,

I am being told by Mr. Evans that for some reason the officers on his tier are declining to pick up his outgoing mail, whether legal or regular. He tells me that he is not on any kind of RVR discipline at this time, and that his building is not on any kind of lockdown that would restrict his sending mail.

Can you refer this to whoever might be able to rectify this, if it is something that should not be happening, or let me know why it is happening if it is.

Thanks.

Cordially

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
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Cell: 504-453-1983  
email: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)

005.8

**Alison Steiner**

---

**From:** Perry, Gloria <gperry@mdoc.state.ms.us>  
**Sent:** Monday, November 02, 2015 12:32 PM  
**To:** Alison Steiner  
**Cc:** Norris, Jim  
**Subject:** RE: My client, Timoty Evans MDOC 100345

According to the medical record, Prilosec was also ordered on 10/29/15. The medication should arrive this week. Thank you

-----Original Message-----

**From:** Alison Steiner [mailto:AStein@ospd.ms.gov]  
**Sent:** Monday, November 02, 2015 12:14 PM  
**To:** Norris, Jim  
**Cc:** Perry, Gloria  
**Subject:** RE: My client, Timoty Evans MDOC 100345

Thank you, Jim, for passing our previous request onto the chief nurse.

Mr. Evans, along with others on his tier, did have sick call on October 29. However, thought Mr. Evans, like the others, received most of his medications on Saturday, one of them -- his prilosec for GERD -- was not delivered.

He was not told by either the Nurse or Dr. Santos that his medical condition had changed, so we assume this was an oversight. But his last prilosec refill runs out later this week. The last time he went without it, he did require hospitalization, so I would again appreciate any help you can give in finding out when this final medication will be delivered

Cordially,

Alison Steiner

-----Original Message-----

**From:** Norris, Jim [mailto:JNORRIS@mdoc.state.ms.us]  
**Sent:** Wednesday, October 28, 2015 2:23 PM  
**To:** Alison Steiner  
**Subject:** RE: My client, Timoty Evans MDOC 100345

I have forwarded this to the Director of Nurses.  
She should be able to handle this.

Jim  
James M. "Jim" Norris  
Special Assistant Attorney General /  
Mississippi Department of Corrections  
P. O. Box 36  
Parchman, Mississippi 38738  
[jnorris@mdoc.state.ms.us](mailto:jnorris@mdoc.state.ms.us)



Case no. 4:15cv72 DMB-JMV Exhibit # 0660.18

Alison Steiner

pg. 18 of 27

**From:** Perry, Gloria <gperry@mdoc.state.ms.us>  
**Sent:** Monday, November 02, 2015 12:32 PM  
**To:** Alison Steiner  
**Cc:** Norris, Jim  
**Subject:** RE: My client, Timoty Evans MDOC 100345

According to the medical record, Prilosec was also ordered on 10/29/15. The medication should arrive this week. Thank you

-----Original Message-----

**From:** Alison Steiner [mailto:AStei@ospd.ms.gov]  
**Sent:** Monday, November 02, 2015 12:14 PM  
**To:** Norris, Jim  
**Cc:** Perry, Gloria  
**Subject:** RE: My client, Timoty Evans MDOC 100345

Thank you, Jim, for passing our previous request onto the chief nurse.

Mr. Evans, along with others on his tier, did have sick call on October 29. However, thought Mr. Evans, like the others, received most of his medications on Saturday, one of them -- his prilosec for GERD -- was not delivered.

He was not told by either the Nurse or Dr. Santos that his medical condition had changed, so we assume this was an oversight. But his last prilosec refill runs out later this week. The last time he went without it, he did require hospitalization, so I would again appreciate any help you can give in finding out when this final medication will be delivered

Cordially,

Alison Steiner

-----Original Message-----

**From:** Norris, Jim [mailto:JNORRIS@mdoc.state.ms.us]  
**Sent:** Wednesday, October 28, 2015 2:23 PM  
**To:** Alison Steiner  
**Subject:** RE: My client, Timoty Evans MDOC 100345

I have forwarded this to the Director of Nurses.  
She should be able to handle this.

Jim  
James M. "Jim" Norris  
Special Assistant Attorney General /  
Mississippi Department of Corrections  
P. O. Box 36  
Parchman, Mississippi 38738  
[jnorris@mdoc.state.ms.us](mailto:jnorris@mdoc.state.ms.us)

005.9

**Alison Steiner**

---

**From:** Perry, Gloria <gperry@mdoc.state.ms.us>  
**Sent:** Tuesday, December 29, 2015 3:47 PM  
**To:** Alison Steiner  
**Cc:** Norris, Jim  
**Subject:** FW: Timothy Evans MDOC # 100345

Please see the response below from medical staff. Sincerely, Dr. Perry

**From:** Knighten, Willie  
**Sent:** Tuesday, December 29, 2015 3:30 PM  
**To:** Perry, Gloria <gperry@mdoc.state.ms.us>; Thomas, Vickie <VIThomas@mdoc.state.ms.us>  
**Subject:** RE: Timothy Evans MDOC # 100345

Dr. Perry,

I reviewed Mr. Evans chart and talked with the medication distribution nurse. Mr. Evans received Prilosec on 11/3/15 and on 12/4/15. Nurse Davis advised me that Mr. Evans stated he had put in a refill last week and that she told him he would probably not get it until next week since last week was too soon to fill. He does have a current order for Prilosec in the EMR and since he received meds on 12/4/15, he should not be out yet.

Thank you.

Willie Knighten, MS, MT(ASCP)  
Site Manager  
Mississippi State Penitentiary  
P.O. Box E, HWY 49W  
Parchman, MS 38738  
 Centurion  
Phone: (662) 745-6611 ext. 4105

**From:** Perry, Gloria  
**Sent:** Tuesday, December 29, 2015 12:38 PM  
**To:** Knighten, Willie <WIKnighten@mdoc.state.ms.us>; Thomas, Vickie <VIThomas@mdoc.state.ms.us>  
**Subject:** FW: Timothy Evans MDOC # 100345

Please review and provide a response. Thank you

**From:** Alison Steiner [mailto:AStei@ospd.ms.gov]  
**Sent:** Tuesday, December 29, 2015 12:18 PM  
**To:** Norris, Jim <JNORRIS@mdoc.state.ms.us>; Perry, Gloria <gperry@mdoc.state.ms.us>  
**Subject:** Timothy Evans MDOC # 100345

Dear Dr. Perry & Mr. Norris:

I am once again hoping one of you can direct this inquiry to the proper responder.

Mr. Evans tells me that at his last chronic care medical call on 12/17 he was informed that his conditions were all unchanged, and that therefore all his chronic care meds (ibuprophen, HCTZ and Prilosec) were being renewed. On 12/22 he received the ibuprophen and HCTZ as anticipated and was assured that his Prilosec was renewed and would be

delivered this week. Today, however, it was not brought. He was told that the Prilosec order was "cancelled" from the pharmacy computer on 12/24. As he was not seen by anyone in the interim, it appears that this may have happened in error. Thank you for any help you can give in getting that error rectified.

005.9

I hope you had a peaceful Christmas, and are looking forward to a Happy New Year.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2314 (direct line)  
Fax: 601-576-2319  
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030

**Alison Steiner**

---

**From:** Norris, Jim <JNORRIS@mdoc.state.ms.us>  
**Sent:** Tuesday, May 10, 2016 8:31 AM  
**To:** Alison Steiner  
**Subject:** [FOUND\_FIN\_TERM]RE: Chronic care medications issue Timothy Evans MDOC #100345

The appropriate people have this and will handle it.

**From:** Alison Steiner [<mailto:AStei@ospd.ms.gov>]  
**Sent:** Monday, May 09, 2016 3:05 PM  
**To:** Norris, Jim  
**Subject:** Chronic care medications issue Timothy Evans MDOC #100345

Dear Jim,

Timothy Evans called today to report that after several satisfactory months, he is once again having difficulty with his chronic care medications.

This time it is the ibuprophen that he receives for chronic back pain resulting from degenerative arthritis and spondylolisthesis that was first diagnosed during a prior MDOC incarceration over 5 years ago. His condition and the need for medication was reaffirmed by s-ray study during Mr. Evans annual evaluation in November 2015. At that time, Dr. Santos confirmed the prescription for ibuprophen, which according to the most recent renewal information on the blister packs he has been furnished monthly since the November evaluation, was to run through July of this year.

Unfortunately, although the 30 day supply of ibuprophen given him in early April ran out on schedule last week, Mr. Evans has not yet received his new one that should have been given him at that time. As Mr. Evans has not been re-evaluated by the doctor—and his condition is one that is clearly degenerative and chronic -- there is obviously no medical basis or order to stop this treatment.

Can you please pass this inquiry on to whoever in medical needs to act to correct this error.

Thank you for your help

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2314 (direct line)  
Fax: 601-576-2319  
Cell: 504-453-1983  
email: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)

PLEASE NOTE AND CORRECT YOUR ADDRESS BOOK AND OTHER CONTACT INFORMATION FOR ME TO REFLECT THE CHANGE IN MY WORK EMAIL ADDRESS TO THE ONE SHOWN ABOVE: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov).

This change is effective immediately. My former email addresses ([alison@capdefcounsel.com](mailto:alison@capdefcounsel.com) and [as2314@bellsouth.net](mailto:as2314@bellsouth.net)) no longer exist, and emails sent to them will not be delivered to me.

Case No. 4:15 cv 72 OMB-JMV EXHIBIT # 999

041

**Alison Steiner**

---

**From:** Alison Steiner  
**Sent:** Tuesday, September 13, 2016 11:12 AM  
**To:** Perry, Gloria  
**Subject:** Chronic care medications and skin lesion treatment ordered for Timothy Evans MDOC # 100345 MSP Unit 29J

Dear Dr. Perry,

I am advised by my client Timothy Evans that his chronic care prescription for Ibuprophen to treat skeletal back pain from injuries long predating his incarceration has not been refilled and that he has now been without that medication for nearly two weeks. He also tells me that Dr. Kuper scheduled him to have a skin lesion on one of his ears taken off during the last week in August, but that he was not transported for that appointment, and has not received that treatment to this date.

Can you please check with MDOC medical and determine why he is not receiving his prescribed treatments. I recognize that he does have pro se litigation pending on prior failures to treat, but that does not relieve the physicians from their hypocratic oaths or the MDOC from its constitutional duty to provide those in its custody with medical care. If the medical professionals assigned to treat Mr. Evans decline to do so and MDOC does not provide alternative medical care, then both of these things are being violated.

Thank you for letting me know the results of your inquiries, and when I may tell Mr. Evans that his Ibuprophen will resume and his skin lesions taken care of before they become cancerous.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2314 (direct line)  
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**Alison Steiner**

---

**From:** Alison Steiner  
**Sent:** Tuesday, September 20, 2016 11:17 AM  
**To:** Perry, Gloria  
**Cc:** Lee, Earnest (ELee@mdoc.state.ms.us); tmorris@mdoc.state.ms.us  
**Subject:** Timothy Evans MDOC # 100345 MSP Unit 29J -- further medication discontinuance

Dear Dr. Perry:

I have not yet heard back from you on my note sent a week ago about two specific issues my client was then having with provision of medical care. I am now advised that neither of those omissions has been ameliorated. In addition, Mr. Evans has been told by the individual providing routine care on the tier that none of his chronic care medications have been renewed. This, in effect, means care for his chronic conditions (psoriasis, skeletal back pain, acid reflux) has been discontinued by default in the absence of any determination by a physician that those conditions have been ameliorated or cured, or creation of an alternative care plan if they have not.

I hope that this is not what has happened. I am sure that if it has, however, it is not in keeping with either the policies of the MDOC or the minimum requirements of acceptable medical care or the standards I know you attempt to uphold for its provision by the MDOC.

Thank you for your assistance in this matter. I look forward to hearing back from you or from the individual to whom you have delegated the responsibility to resolve these issues.

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
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**Sent:** Tuesday, September 13, 2016 11:12 AM  
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**Subject:** Chronic care medications and skin lesion treatment ordered for Timothy Evans MDOC # 100345 MSP Unit 29J

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during the last week in August, but that he was not transported for that appointment, and has not received that treatment to this date.

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Thank you for letting me know the results of your inquiries, and when I may tell Mr. Evans that his Ibuprophen will resume and his skin lesions taken care of before they become cancerous.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
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0422

Sent from my Samsung device

----- Original message -----

From: "Morris, Timothy" <[TMorris@mdoc.state.ms.us](mailto:TMorris@mdoc.state.ms.us)>  
 Date: 9/20/16 12:20 PM (GMT-06:00)  
 To: "Knighten, Willie" <[WIKnighten@mdoc.state.ms.us](mailto:WIKnighten@mdoc.state.ms.us)>, "Thomas, Vickie" <[VIThomas@mdoc.state.ms.us](mailto:VIThomas@mdoc.state.ms.us)>, "Gregory, Dennis" <[DGregory@mdoc.state.ms.us](mailto:DGregory@mdoc.state.ms.us)>  
 Cc: "Cox, Brenda" <[BR Cox@mdoc.state.ms.us](mailto:BR Cox@mdoc.state.ms.us)>, "Flagg, Verlena" <[VFlagg@mdoc.state.ms.us](mailto:VFlagg@mdoc.state.ms.us)>, "Howard, Chinetha" <[CHoward@mdoc.state.ms.us](mailto:CHoward@mdoc.state.ms.us)>, "Morris, Timothy" <[TMorris@mdoc.state.ms.us](mailto:TMorris@mdoc.state.ms.us)>, "Patton, Marilyn" <[MPatton@mdoc.state.ms.us](mailto:MPatton@mdoc.state.ms.us)>, "Reddicks, Shirley" <[SReddicks@mdoc.state.ms.us](mailto:SReddicks@mdoc.state.ms.us)>  
 Subject: FW: Timothy Evans MDOC # 100345 MSP Unit 29J -- further medication discontinuance

FYI.....

**Thank you**

**Mr. Timothy J. Morris**

Mississippi Department Of Corrections  
 Warden, MSP, Area-1  
 "mission to exceed the status quo"

**"Integrity"**

"Choosing your thoughts and actions  
 based on values rather than personal gain."  
 "Doing the right thing when  
 no one else is around."

From: Alison Steiner [<mailto:AStei@osspd.ms.gov>]  
 Sent: Tuesday, September 20, 2016 11:22 AM  
 To: Perry, Gloria <[gperry@mdoc.state.ms.us](mailto:gperry@mdoc.state.ms.us)>  
 Cc: Lee, Earnest <[ELee@mdoc.state.ms.us](mailto:ELee@mdoc.state.ms.us)>; Morris, Timothy <[TMorris@mdoc.state.ms.us](mailto:TMorris@mdoc.state.ms.us)>  
 Subject: Timothy Evans MDOC # 100345 MSP Unit 29J -- further medication discontinuance

Dear Dr. Perry:

I have not yet heard back from you on my note sent a week ago about two specific issues my client was then having with provision of medical care. I am now advised that neither of those omissions has been ameliorated. In addition, Mr. Evans has been told by the individual providing routine care on the tier that none of his chronic care medications have been renewed. This, in effect, means care for his chronic conditions (psoriasis, skeletal back pain, acid reflux) has been discontinued by default in the absence of any determination by a physician that those conditions have been ameliorated or cured, or creation of an alternative care plan if they have not.

I hope that this is not what has happened. I am sure that if it has, however, it is not in keeping with either the policies of the MDOC or the minimum requirements of acceptable medical care or the standards I know you attempt to uphold for its provision by the MDOC.

Thank you for your assistance in this matter. I look forward to hearing back from you or from the individual to whom you have delegated the responsibility to resolve these issues.

Alison Steiner

005.12

**Alison Steiner**

---

**From:** Gregory, Dennis <DGregory@mdoc.state.ms.us>  
**Sent:** Wednesday, September 21, 2016 5:56 AM  
**To:** Alison Steiner  
**Cc:** Perry, Gloria; Lee, Earnest; Morris, Timothy  
**Subject:** [FOUND\_FIN\_TERM]FW: Timothy Evans MDOC # 100345 MSP Unit 29J -- further medication discontinuance

Ms. Steiner,

Please see Ms. Knighten's comments regarding Timothy Evans MDOC 100345. Thank you for your correspondence.

Dennis

Dennis F. Gregory MS LMFT CCHP  
MDOC Mental Health Director  
Cell: 662-588-7799  
Office: 601-359-3718  
Email: [DGregory@mdoc.state.ms.us](mailto:DGregory@mdoc.state.ms.us)

**From:** Knighten, Willie  
**Sent:** Tuesday, September 20, 2016 4:25 PM  
**To:** Gregory, Dennis <DGregory@mdoc.state.ms.us>  
**Subject:** RE: Timothy Evans MDOC # 100345 MSP Unit 29J – further medication discontinuance

He is receiving medications; Dr. Kuiper did say that he has a tiny growth on one of his ears that he is considering removing but it is not urgent. He will be scheduled soon to have it looked at again.

Willie Knighten, MS, MT(ASCP)  
Health Services Administrator  
Mississippi State Penitentiary  
P.O. Box E, HWY 49W  
Parchman, MS 38738

 **Centurion**  
Phone: (662) 745-6611 ext. 4105

**From:** Gregory, Dennis  
**Sent:** Tuesday, September 20, 2016 12:42 PM  
**To:** Morris, Timothy <TMorris@mdoc.state.ms.us>; Knighten, Willie <WIKnighten@mdoc.state.ms.us>; Thomas, Vickie <VIThomas@mdoc.state.ms.us>  
**Cc:** Cox, Brenda <BRCox@mdoc.state.ms.us>; Flagg, Verlena <VFlagg@mdoc.state.ms.us>; Howard, Chinetha <CHoward@mdoc.state.ms.us>; Patton, Marilyn <MPatton@mdoc.state.ms.us>; Reddicks, Shirley <SReddicks@mdoc.state.ms.us>  
**Subject:** RE: Timothy Evans MDOC # 100345 MSP Unit 29J – further medication discontinuance

Thank you.

**Alison Steiner**

---

**From:** Alison Steiner  
**Sent:** Thursday, November 10, 2016 12:00 PM  
**To:** 'WIKnighten@mdoc.state.ms.us'; Perry, Gloria  
**Cc:** 'TMorris@mdoc.state.ms.us'; 'BRCox@mdoc.state.ms.us'; 'VFlagg@mdoc.state.ms.us'; 'CHoward@mdoc.state.ms.us'; 'MPatton@mdoc.state.ms.us'; Reddicks, Shirley (SReddicks@mdoc.state.ms.us); Lee, Earnest (ELee@mdoc.state.ms.us); Gregory, Dennis (DGregory@mdoc.state.ms.us)  
**Subject:** Timothy Evans MDOC # 100345

Dear Dr. Perry and Ms. Knighten;

Mr. Evans has raised two specific problems with me, and one general concern:

1. In September, you arranged for an appointment to be made for Mr. Evans to receive the promised treatment by Dr. Kuiper for some potentially dangerous skin lesions on his scalp and ear. He was informed that that appointment, and two other rescheduled ones had been cancelled. However, he was then told by other medical people that his chart showed that he had refused these appointments and he has not been rescheduled due to his failure to appear. He did not refuse any appointment. Indeed, he has persistently sought to be transported for those appointments and been refused. Please reschedule an appointment immediately for him. In addition, from now on, in order to insure that the records are accurate, we would also request that any future alleged refusal by Mr. Evans of medical care be video recorded on the video camera maintained in the unit or brought to the unit by someone from the front office. As I have observed such cameras are available on all units and are being used regularly to document matters of this nature. I am also told that they are being used for similar purposes with other inmates.
2. After a couple of successful months of prescription renewal, and the purported addition of a muscle relaxant Robaxin to his chronic care regimen for his back pain, this month Mr. Evans's prescriptions to that and two his other two chronic care medications—ibuprophen and prilosec – were not refilled at the time they ran out. He went for several days without any of them, though yesterday he did receive partial refills of the ibuprophen and prilosec. He has yet to receive any more Robaxin, and has been told that there are no orders in his chart for either it or the prilosec to be continued. As he has not seen a doctor or been told that he no longer suffers from any of the treated conditions, this appears to be a best an error, and at worst negligent refusal of medical care. Please make sure that this is rectified immediately and that protections are put in place to ensure that these kinds of delays do not occur again.
3. Mr. Evans is concerned that all of these irregularities have been exacerbated by retaliation for his ongoing litigation against the medical department over its repeated failures to provide him medical treatment sought and prescribed. If that is the case, then it would behoove MDOC to replace any medical professional who is engaging in this kind of behavior with a more professional one who can continue to provide Mr. Evans with the medical care he requires without such activities. Thank you for looking into this as well.

I look forward to hearing back from you with information on how these issues are being resolved.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division

From: [astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)  
Subject:  
Date:  
To: [astei@pobox.com](mailto:astei@pobox.com)



From: "Perry, Gloria" <[gperry@mdoc.state.ms.us](mailto:gperry@mdoc.state.ms.us)>  
Date: November 15, 2016 at 5:36:26 PM CST  
To: "[astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)" <[astei@ospd.ms.gov](mailto:astei@ospd.ms.gov)>  
Subject: [FOUND\_PHI\_RECORD][FOUND\_FIN\_TERM]FW: Timothy Evans MDOC # 100345

Attorney Steiner,  
Please see the response below from medical staff.  
Sincerely, Dr. Perry

From: Knighten, Willie  
Sent: Friday, November 11, 2016 4:00 PM  
To: Perry, Gloria <[gperry@mdoc.state.ms.us](mailto:gperry@mdoc.state.ms.us)>  
Cc: Gregory, Dennis <[DGregory@mdoc.state.ms.us](mailto:DGregory@mdoc.state.ms.us)>; Lee, Earnest <[ELee@mdoc.state.ms.us](mailto:ELee@mdoc.state.ms.us)>; Jones, Shannon <[ShannonJones@mdoc.state.ms.us](mailto:ShannonJones@mdoc.state.ms.us)>; Williams, Jerry J. <[JJWilliams@mdoc.state.ms.us](mailto:JJWilliams@mdoc.state.ms.us)>  
Subject: RE: Timothy Evans MDOC # 100345

Dr. Perry,

There is no documentation in the medical record that Mr. Timothy Evans 100345 refused any appointment nor that any staff told him that. He sees the nurse and/or the provider at least weekly. Dr. Kuiper did tell him that he would remove a sore off his head and ear at a later date, but nothing was urgent or "dangerous". We have made him an appointment at the hospital. He was approved for Robaxin on 10/3/16 for 30 days; It was not re-approved. He received Ibuprofen on 9/14, 9/23, and 10/11. He complained that he wanted 800 mg tablets instead of (2) 400 mg tabs, so the provider gave him that, which he received 10/14. He received Prilosec 9/24 and 10/14. Please let me know if there is additional information needed.

Thank you,

 Centurion

From: Perry, Gloria  
Sent: Thursday, November 10, 2016 1:01 PM  
To: Knighten, Willie <[WIKnighten@mdoc.state.ms.us](mailto:WIKnighten@mdoc.state.ms.us)>  
Cc: Gregory, Dennis <[DGregory@mdoc.state.ms.us](mailto:DGregory@mdoc.state.ms.us)>; Lee, Earnest <[ELee@mdoc.state.ms.us](mailto:ELee@mdoc.state.ms.us)>; Jones



4:15 CV 72 DMB-JMV 12-8-2016 exhibit 007

**Alison Steiner**

---

**From:** Alison Steiner  
**Sent:** Tuesday, November 29, 2016 4:09 PM  
**To:** 'Perry, Gloria'  
**Cc:** WIKnighten@mdoc.state.ms.us  
**Subject:** RE: Timothy Evans MDOC # 100345

Dear Dr. Perry and Ms. Knighten:

While I thank you for your response to my concerns about Mr. Evans, it actually appears to confirm that there has been a serious interruption in his chronic care medication delivery, since it appears that there were no chronic care medications delivered to Mr. Evans in November at all, and that the latest medication delivery was more than 30 days before Dr. Perry's information was sent.

Mr. Evans called me yesterday and says the situation has not improved. He informs me that the shift from 400 mg IBN to 800 mg IBN tablets for chronic back pain was in fact a considerable reduction in total daily dosage available. He was previously receiving enough 400 mg tablets to take up to six dose of IBN per day (totalling 2400 mg – well within the maximum allowable dose, and in the recommended range for control of arthritis pain) He tells me, however, that he has now only received enough 800 mg pills to take one dose a day, which is actually 2/3d's reduction in this medication, and falls below even the minimum recommended IBN dosage for control of arthritis pain.

He also informs me that he completely ran out of prilosec shortly before Thanksgiving, has received no renewal on that medication, and is beginning to suffer upper GI problems from his chronic acid reflux problems as a result.

I thank you for once again looking into this issue.

Cordially,

Alison Steiner  
Office of the State Public Defender  
Capital Defense Counsel Division  
239 N. Lamar St. Suite 604  
Jackson, MS 39201  
Ph: 601-576-2314 (direct line)  
Fax: 601-576-2319  
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---

**From:** Perry, Gloria [mailto:[gperry@mdoc.state.ms.us](mailto:gperry@mdoc.state.ms.us)]  
**Sent:** Tuesday, November 15, 2016 5:36 PM  
**To:** Alison Steiner  
**Subject:** [FOUND\_PHI\_RECORD][FOUND\_FIN\_TERM]FW: Timothy Evans MDOC # 100345

6-14-2017

V. CIV. ACT. NO. TO Be added By Clerk

ANGELA BROWN ET, AL.  
PRIVATE CONTRACTOR

CASE LAW & AUTHORITY, MAAC-SOP For 1983 (new)

IN The UNITED STATES DISTRICT COURT  
For The Northern District of Mississippi  
Greenville Division

#024

4-13-2017

Timothy N. Evans v. ~~ANGELA BROWN~~ ET AL.

PER 1983 RULES & GUIDELINES, CASE LAW & AUTHORITY CAN BE  
INCLUDED SEPARATELY WITH 1983 TO SUPPLEMENT RETALIATION  
& ALSO 1983, 1985 (3)

PLAINTIFF, NOW ENTERS THE COURT, PRO-SE TO PRESENT  
SUPPLEMENTAL CASE LAW & AUTHORITY TO THE COURT TO  
FURTHER THE EXACT DEPRIVATION & TO ALLOW FUTURE  
ATTORNEYS TO ENTER THE PLAINTIFFS CASE TO HELP  
A LARGE GROUP OF MEN AT DEATH ROW, PLUS TO  
PRESENT LARGE PRESENTATION TO AMEND CIVIL ACTION  
BY LEARNED COUNSEL TO GATHER THE CHANGED  
OUTCOME, THROUGH THE ENSUING LITIGATION AS A  
MATTER OF JUSTICE, UP TO & INCLUDING THE FILING  
AND PURSUIT OF CRIMINAL CHARGES & OR FINES.

PREMISES CONSIDERED, PLEADING ABOVE TO BE INCLUDED IN  
THE 1983 ENCLOSED AS PART OF 42 U.S.C.A. CONDITIONS  
OF CONFINEMENT.

ENTERED, INCLUDED ON 4-13-2017. Timothy Nelson Evans

CONTENTS: Case Law & AUTHORITY U.S.C.A. 42-1983 I

4-13-1

## RETALIATION

1) Woods v. Smith 60 F.3d 1161, 1164. (5th Cir. 1995) #024

"4 prong Test, 5th Circuit" A prison official may not RETALIATE AGAINST OR HARASS A INMATE FOR COMPLAINING THROUGH PROPER CHANNELS ABOUT A GARDS CONDUCT."

2) Estelle v. Gamble 429 U.S. 97, 99 (1976).

Deliberate Indifference steps in serious medical need constitutes unnecessary & wanton infliction of pain proscribed by 8th U.S.C.A. Regardless whether indifference is manifested by prison doctor in there response to the prisoners needs or by prison guards intentionally interfering with the treatment once proscribed regardless of how evidenced, Deliberate Indifference to a prisoner detainee serious illness is civil rights action under 42 U.S.C.A. 1983 - (see pg. 2 content also)

3) Federal Rules Evidence 803 (D) (1) (A) STATEMENT By (made) opponent.

4) Monmouth Cnty. Corr. Inst. Inmates v. Lanzaro, 834 F.2d 326, 347 (3rd Cir. 1987) Cert: Denied. 486. United States Supreme Court 1006 (1988) Deliberate Indifference EXIST, "where A OFFICIALS:

1) Knows that a prisoner needs for medical treatment BUT intentionally refuse to provide it.

CONTENTS CONTINUED U.S.C.A. 1983 i.e. RETALIATION

- 2) Delays necessary medical treatment based on non-medical reason.
- 3) prevents a prisoner, detainee from receiving needed or recommended medical treatment

④ DURMER VS. O'CARROLL 991 F2d 64 (3rd Cir. 1993)  
 Deliberately Delaying necessary medical Diagnosed for a long period of time in order to avoid providing care constitutes Deliberate Indifference is actionable.

⑤ BOUSE V. PLANTIER 182 F3d 192 (1999 3rd Cir.)  
 "persistent pain or serious medical need, a medical need is where it is serious where it has been Diagnosed by a physician as requiring treatment, is so obvious that a lay person would easily recognize the necessity for a doctor's attention."

⑥ (2) ESTELLE V. GAMBLE 429 U.S. 97, 116 (1976) "clear message to prison officials that there affirmative duty under the const. to provide for the safety of inmates is not to be taken lightly, prison officials maybe held liable for failure to remedy a risk so obvious & substantial that officials must have known about it. prisoner need not wait tragic event."

CASE LAW & AUTHORITY CONTENTS 1983. 42 U.S.C.A. RETALIATION #026 III  
4-13-201

- 7) Estelle v. Gamble i.e., Justice Marshall (7) infliction of UNNECESSARY SUFFERING ON PRISONER BY FAILURE TO TREAT HIS MEDICAL NEEDS IS INCONSISTANT WITH CONTEMPORARY STANDARD NEED IS INCONSISTANT WITH CONTEMPORARY STANDARDS OF DECENCY & VIOLATES THE EIGHTH AMEND. U.S.C.A. 8
- 8) Springfield v. Kibbe 480 U.S. 257, 269 (1987) "IT IS FAIR TO SAY 'INDEED, FAIR TO SAY ACTING OR FAILING TO ACT WITH DELIBERATE INDIFFERENCE TO A SUBSTANTIAL RISK OF SERIOUS HARM TO A PRISONER IS THE EQUIVALENT OF RECKLESSLY DISREGARDING THAT RISK.'"
- 9) Dennis v. Sparks 449 U.S. 24 (1980) JOINT ACTION TEST PRIVATE ACTOR CAN HAVE LIABILITY WHEN ACTOR WILL FULLY PARTICIPATE IN JOINT ACTION WITH THE STATE & THAT JOINT ACTION CAUSES CONSTITUTIONAL DEPRIVATION."
- 10) Robinson v. California 370 U.S. 660 (1962).  
THE COMMAND OF THE 8TH AMEND., BANNING "CRUEL & UNUSUAL PUNISHMENT," STEMS FROM THE BILL OF RIGHTS OF 1688. SEE STATE OF LOUISIANA EX REL. FRANCIS V. RESWEGER, 329 U.S. 459, 463, 67 S. CT. 374, 376, 91 L. ED. 422 & IT IS APPLICABLE TO THE STATES BY REASON OF THE DUE PROCESS CLAUSE OF THE 14TH U.S.C.A.



CONTENTS: Case Law & AUTHORITY U.S.C.A. 42-1983#021 IV

Follow MDOC Policy Violations:

4-13-201

25-05-B Communicable Disease Practice.

25-04-B MANAGEMENT OF Hepatitis INFECTIONS.

25-06-B ENVIRONMENTAL Health & SAFETY.

22-04-01 SPECIAL NEEDS OFFENDER.

20-05-01 PROTECTION FROM HARM.

22-01-01 CLASSIFICATION.

25-05-01 MEDICAL CLASSIFICATION.

25-03-J PHYSICAL EXAMINATIONS.

25-05-A RESPONSIBILITY OF Health AUTHORITY.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MS.  
Greenville Division

6-14-2017

Timothy N. EVANS

V.

CIV. ACT. to be added (new 1983)

ANGELA BROWN, ET AL.  
PRIVATE CONTRACTOR

F.R.C.P. Rule 9 - SPECIAL MATTERS  
1988 LAW & GOVERNING CRIMES & PUNISHMENTS  
DOCUMENT enclosed

In the UNITED STATES DISTRICT COURT  
For the Northern District of Mississippi  
Greenville Division

Timothy N. Evans  
 v.

CIV. ACT. NO. \_\_\_\_\_

6-14-2017

~~Angela Brown~~ ~~ET AL~~

ANGELA BROWN, ET AL.

TO BE Added By clerk

42 U.S.C.A. 1988 proceeding, in vindication of civil rights.

PER ABOVE, PLAINTIFF, PRO-SE, NOW ENTERS COURT IN RESPONSE TO COURT'S MEMORANDUM MAY 22ND, 2017. WHEREBY: COURT CLERK HAD FILED UNDER RECONSIDERATION IN 4:15CV00007 DMB-JMV.

PLAINTIFF INSTRUCTS THE COURT TO FILE NEW 1983 WITH THE COURT THAT WAS SENT TO COURT WITH THAT EXACT PURPOSE & PRISON ILAP MUST NOT HAVE INCLUDED EXACT INSTRUCTION WITH 80 pg. (New) 1983 Title Under: 4-17-2017  
 A) CONDITIONS OF CONFINEMENT, i.e., RETALIATION & THE ABOVE WILL BE SOUGHT BECAUSE OF THE ONGOING ABUSE WITH ALL DEFENDANTS ALSO COMMITTING CRIMINAL ACTS UNDER FOLLOWING FEDERAL STATUTES LISTED:

- 1) 42 U.S.C.A. 1983. CIVIL ACTION FOR DEPRIVATION OF RIGHTS.
- 2) 42 U.S.C.A. 1985(3) CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS. (3)
- 3) 18 U.S.C.A. 3626. APPROPRIATE REMEDIES WITH RESPECT TO PRISON CONDITIONS.
- 4) 18 U.S.C.A. 1512. TAMPERING WITH A WITNESS, VICTIM OR AN INFORMANT.
- 5) 18 U.S.C.A. 1513. RETALIATING AGAINST A VICTIM, WITNESS OR AN INFORMANT (in its entirety).
- 6) 18 U.S.C.A. 1514(A) CIVIL ACTION TO RESTRAIN HARASSMENT OF A VICTIM OR WITNESS. CIVIL ACTION TO PROTECT AGAINST RETALIATION.
- 7) 18 U.S.C.A. 249 HATE CRIME ACT.

Continued From pg. I New 1983-Listing 42 USCA. 1988 pg. 2

8) 7 CONTINUED -

whoever, whether or not acting color of Law, willfully causes Bodily injury to any person or through the use ie, attempts to bodily injury to any person, because of the actual or perceived race, color, religion or national origin of any person, seeking the following for all defendants

249 (A) (1) (B) (i) (ii) (C) 1

(C) (1) The term "Bodily injury" has the meaning given such terms in SECTION-DEFINITIONS has the term 1365 (4)(4), but doesn't include solely emotional & or psychological harm to the victim.

(D) STATUTE OF LIMITATIONS (1)

OFFENSES NOT RESULTING IN DEATH - ie, NOT LATER THAN AFTER 7 years. AFTER the date on which the offense was commitment.

## II.

42 USCA. 126 EQUAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES  
42 USCA. 126 Subch. II, PART (A) PROHIBITION AGAINST DISCRIMINATION  
& other generally applicable provisions.

12131, 12132, 12133, 12134.

SUBCHAPTER (IV) MISCELLANEOUS PROVISIONS.

12203 - PROHIBITION AGAINST RETALIATION & COERCION.

12213 - SEVERABILITY

## III.

1997 (A-iii) PARTICULARLY 1997 (h) NOTICE TO FEDERAL DEPARTMENTS.

18 USCA. 249 (D) STATUTE OF LIMITATIONS (2)

DEATH RESULTING OFFENSES. AN INDICTMENT OR INFORMATION ALLEGING THAT AN OFFENSE UNDER THIS SECTION RESULTED IN DEATH MAY BE FILED OR INSTITUTED AT ANY TIME WITHOUT LIMITATIONS.

CONTINUED FROM pg. II NEW 1983 - LISTING OF LAW. 42 USCA. 1988 pg. 3

#### IV.

- 1) MDOC MISNET CHAPTER 25 HEALTH CARE AT PARCHMAN
- 2) MDOC MISNET CHAPTER 1-44 ALL, SUBJECT TO PARTICULARLY NAMED

premises considered. PLAINTIFF NEEDS THE ABOVE NAMED DOCUMENT TO BE SPECIFICALLY ADDED TO THE NEW 1983, SO COURT CAN PROPERLY FILE SAID MOTION AT THE SAME DATE SO THAT INMATE WILL GO FORWARD WITH THE 1983 NEW, BECAUSE OF ONGOING CRISIS WITHDRAWAL OF CANCER TREATMENT. BY MEDICAL STAFF AT PARCHMAN, BY SECURITY DEFENDANTS TAKING CANCER MEDICATION, i.e., FLUOROURACIL (406M) 5% CREAM. THAT INMATE WENT TO GREENWOOD CANCER CENTER AFTER FEDERAL CIVIL ACT. NO. 4:13CV00072 AMB-JMV. DOC. NO. 207 COURT ORDER TO STATE MEDICAL DEFENDANTS & BIOPSY RESULTS 11-17-2016 & 2-16-2017 BOTH BIOPSY RESULTS SQUAMOUS CELL CARCINOMA. DR. RAFIQUE GREENWOOD CANCER CENTER - COUNTED 51:2-16-17.

- 1) ACTINIC KERATOSES - PRECANCEROUS GROWTHS
- 2) BASAL CELL CARCINOMA
- 3) SQUAMOUS CELL CARCINOMA

4) MELANOMA - DEADLIEST FORM SKIN CANCER - EARLY DIAGNOSIS & TREATMENT ARE CRUCIAL.

BECAUSE OF CRISIS WERE ALL BLACK STAFF & THE CLEARLY OBVIOUS HATE CRIMES, THAT HAVE GONE ON FOR 14 YRS. COME SEPT. 2017 - EVANS, TIMOTHY N. ASKS THE COURT TO GRANT INJUNCTIVE RELIEF ENCLOSED WITH FILING

CREATE RESTRAINING ORDER AGAINST NP. BROWN, ANGELA  
WHO HAS CREATED DANGEROUS, HATE CRIME ACTS & SHOWED  
CLEARLY FULL INTENTIONS OF CONTINUED DEATH THREATS, SECURITY  
(MDOC) DEFENDANTS PARTICIPATING BY 1985 (3) BY MDOC  
SIGN INTO Bldg. Log sheets FOR 3 YRS. IN DISCLOSURE TO  
BE ORDERED BY FEDERAL JUDGE AT OR BEFORE SPEARS HEARING.  
TO FURTHER THE DUE DILIGENCE OF THE COURT TO STOP THE  
CRIMINAL INTENT, ACTIONS & CONTINUE DEPREVIATION OF  
MY CIVIL RIGHTS THAT ALREADY CAUSED GRAVE BODILY  
HARM. DUE TO DIGITAL MEDICAL RECORD & ALSO IN THE  
EXHIBITS CONTAINED IN NEW 1983, EVANS, TIMOTHY ASKS  
THE COURT TO INCLUDE THIS AS PART OF ORIGINAL NEW  
1983 & GRANT ANY OTHER RELIEF AS A MATTER OF JUSTICE.

RESPECTFULLY SUBMITTED,  
TIMOTHY N. EVANS  
1003 45-29 J Bldg. A-16  
\*DEATH ROW\*  
PARHAM, MS. 38738



PAGE 5 CERTIFICATE SERVICE 6-14-2017

T. EVANS V. A. BROWN ET, AL.

pg. 6 of 6

CERTIFICATE SERVICE

I, Hereby ATTEST TO MAILING THRU PRISON Legal  
Dept. LISTED PARTIES BELOW, 1983 MOTION FOR 1988  
Law governing Document 5 pgs. & 6pg. case Law & AUTHORITY  
governing MDOC & sop. Medical CONTRACTORS.

U.S. CLERK OF COURT  
PRO-SE LAW CLERK  
301 W. COMMERCE ST. #13  
ABERDEEN, MS. 39730

SOUTHERN POVERTY LAW CNTR.  
Jody Owens II, Director  
111 E. CAPITOL STR.  
SUITE 280  
JACKSON, MS. 39201

ALISON STEINER, ESQUIRE  
239 N. LAMAR STREET  
SUITE 604  
JACKSON, MS. 39201

Legal Mail pickup 6-15-2017 6:00 AM.

Timothy Evans 6-15-17 @

Timothy W. Evans  
180345 29 JA-16  
Parchman, Mo-38738

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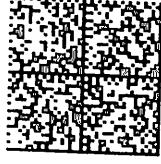
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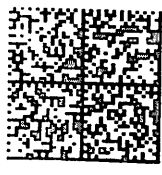
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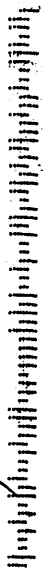
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